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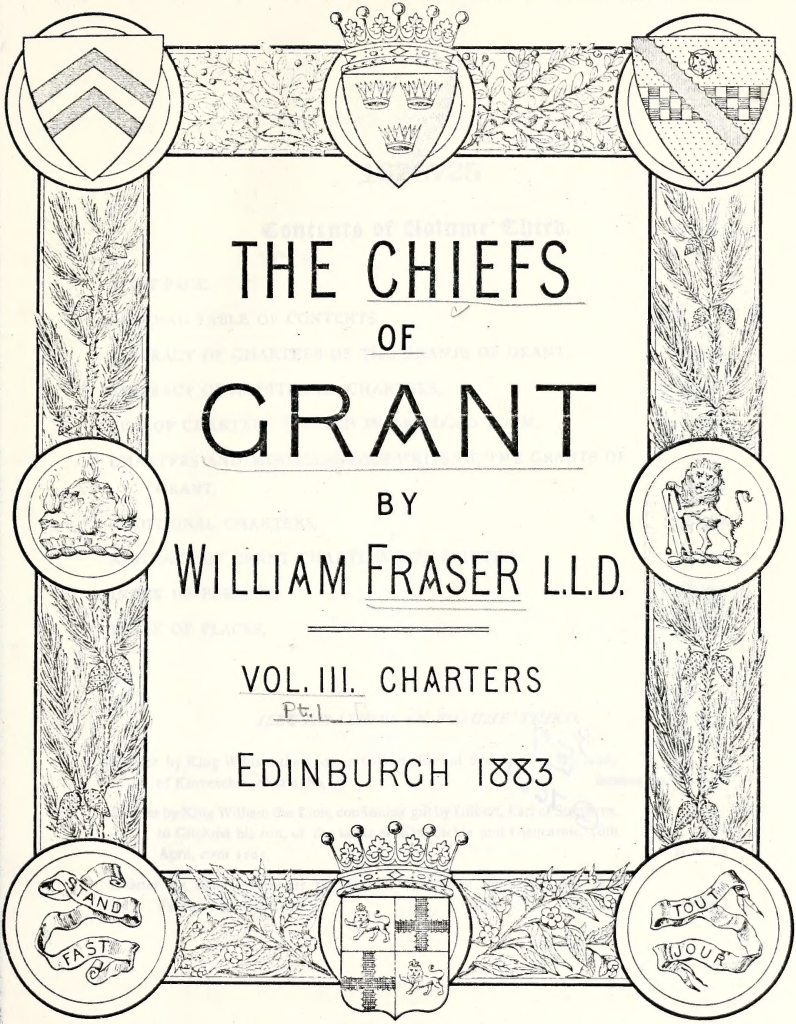

THE CHIEFS OF GRANT

BY

WILLIAM FRASER L.L.D.

VOL. III. CHARTERS

Pt. I

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Contents of Volume Third.

TITLE-PAGE.

GENERAL TABLE OF CONTENTS.

PAGE

ABSTRACT OF CHARTERS OF THE GRANTS OF GRANT, . i-xl

ABSTRACT OF ADDITIONAL CHARTERS, ... xli-liv

LIST OF CHARTERS PRINTED IN ABRIDGED FORM, . . liv-lx

CHARTERS AND MISCELLANEOUS WRITS OF THE GRANTS OF GRANT, ... 1-256

ADDITIONAL CHARTERS, ... 257-362

ABSTRACT OF GRANT CHARTERS NOT PRINTED, . . 363-496

INDEX OF PERSONS, ... 497-570

INDEX OF PLACES, ... 571-597

ILLUSTRATIONS IN VOLUME THIRD.

Charter by King William the Lion to Gilbert, Earl of Strathern, of the lands of Kinveachie, *circa* 1180, ... *between* pp. lx *and* 1

Charter by King William the Lion, confirming gift by Gilbert, Earl of Strathern, to Gilchrist his son, of the lands of Kinveachie and Glencarnie, 16th April, *circa* 1205, ... lx *and* 1

Charter by King Alexander the Second confirming the same gift, 12th February [1220-6], ... 2 *and* 3

16587?5

ILLUSTRATIONS IN VOLUME THIRD—*continued.*

Charter by Alan Durward to Sir Gilbert of Glenkerny of the half of Tulachfyny in Mar, *circa* 1256, ... *between* 4 *and* 5

Charter by John Prat to Sir Robert le Grant of the lands of Clonmanache, *circa* 1258, ... 4 *and* 5

Charter by King Alexander the Third, confirming a gift by Sir John Prat to Gilbert of Glennegerin, younger, and Marjory his spouse, of the lands of Daltuly, 14th August [1267], ... 6 *and* 7

Charter by Gilbert, third Lord of Glenkerny, to his eldest son, Gilbert, of the lands of Gerbothy, 2d February 1280, ... 6 *and* 7

Charter by Gilbert of Glencarny to Duncan of Feryndrawcht of the east davoch of Conynges [1281-1298], ... 8 *and* 9

Charter by John Randolph, Earl of Moray, to John the Grant, of the land of Dovely and keepership of the Castle of Tarnaway, 1st April 1346, . 8 *and* 9

Charter by Patrick the Grant, Lord of Stratherrick, to his son-in-law, William Pylche, of Kildreke and Glenbeg [1357-1362], . . . 10 *and* 11

Charter by King David the Second to Gilbert of Glencarnie, of the barony of Glencarnie, 18th January [1362], ... 12 *and* 13

Letters under the Privy Seal of King David the Second, prohibiting Robert, son of Duncan of Athole, from wasting the lands of Glencarnie, 20th April [1366], ... 12 *and* 13

SIGNATURES. *Woodcuts of—*

PAGE

John Stewart, Earl of Athole, 1597, ... 297

Lady Mary Ruthven his Countess, 1597, ... 297

James Prymrois, Clerk to the Privy Council of Scotland, 1615, . . . 316

James Lord Stewart of Newtoun, late Chancellor of Scotland, 1586 (subscribed, 'James Lord Chanciller'), ... 400

PAGE

the other lands and pastures which he and his predecessors justly possessed in the King's forests previous to that grant: To be held by the foresaid bishop and his successors, as freely and peacefully as other bishops in Scotland held their lands, for performing the forensic service pertaining thereto; granting also to the bishop and his foresaids the said lands of Rathmorcus in forestry, and prohibiting any from cutting or hunting on the said land without their permission, under forfeiture of £10. Witnesses, Earl Patrick, Earl Malcolm of Fife, Allan son of Rolland, constable, Walter son of Alan, steward, Walter Olifard, justiciar of Lothian, and others. Stirling, 31st March, twelfth year of reign [1226], ... 2

5. Agreement between Andrew Bishop of Moray, with consent of the dean and chapter of the cathedral kirk of Moray, on the one part, and Gilbert, son of Gilbert sometime Earl of Strathern, on the other part, to the effect that the foresaid Gilbert and his heirs should hold of the foresaid bishop and his successors in feu-farm the half davach of Kyncarny, for payment yearly to them of three marks sterling, and performing the King's forensic service pertaining to the land: Providing that if the land foresaid should be wasted in war, the farm duty should be reduced according to the arbitration of good men; reserving also to the said bishop and his successors the persons born on the said land (*nativi homines*), and providing that the foresaid Gilbert and his heirs should pay to the Bishop of Moray a penalty of ten merks sterling, in case of infringing the agreement. Dated 12th September 1232,..... 4

6. Charter by Alan, the Doorward of Scotland, to Sir Gilbert of Glenkerny, for his homage and service, of the half of his lands of Tulachfyny, in Mar: To be held by the said Sir Gilbert and his heirs or assignees, of the granter and his heirs, in fee and heritage, for rendering the King's Scottish forensic service, when it happened, pertaining to so much land, for the performance of which the said Gilbert and his heirs should be exempt from all suit of court of the granter and his heirs. With clause of warrandice. Witnesses, Sir Robert Byset, Sir Thomas Byset, Sir Thomas Sybaud, Sir Thomas Doorward, Sir John Prat, etc. *Circa* 1256, ... 4

7. Charter by John Prat, whereby he grants and quitclaims to Sir Robert le Grant and his heirs, the whole land of Clonmanache, respecting which there was a contention between the granter's father and the said Robert: To be held by him and his heirs, of the granter and his heirs, in fee and heritage, for payment of one merk of silver yearly, half at Whitsunday and half at Martinmas. Witnesses, Sir John Byset, Sir Alexander of Stirling, Sir William son of Augustine, and others, *Circa* 1258, ... 5

8. Confirmation by King Alexander the Third of a gift by John Prat, knight, to Gilbert of Glennegerni, younger, and Marjory his spouse, sister of the said John, of the lands of Daltely, in Moray: To be held by the said Gilbert and Marjory, and the heirs of their bodies, of the foresaid John and his heirs, in fee and heritage, as freely as his charter to them thereof bore. Witnesses, Colban Earl of Fife, Allan Doorward, and others. Obeyne (Aboyne), 14th August, tenth year of reign [1267], ... 6

PAGE

9. Confirmation by King Alexander the Third, of a gift made by Walter Stewart, Earl of Menteith, with consent of Mary Countess of Menteith his spouse, to Gilbert, son of Gilbert of Glenkerny, knight, of half of the town of Broculy, with the pertinents, that is to say, the half lying on the east side towards the marches of Eglysdissentyne: To be held by the said Gilbert and his heirs, of the said Earl Walter and Mary his spouse and their heirs, in fee and heritage, in terms of the Earl's charters granted to them thereof; reserving the King's service. Obeyne, 14th August, tenth year of reign [1267], ... 6

10. Charter by Gilbert, third Lord of Glenkerny, knight, with consent of Matilda his spouse, to Gilbert his eldest son, of the whole land of Gerbothy, for his homage and service: To be held by him and the heirs of his body, for ever, of the foresaid Gilbert and Matilda, for rendering yearly to them a pair of white gloves at Whitsunday, and performing the King's Scottish service pertaining to the said land. Witnesses, Sir John of Stirling, Sir John Prat, Sir William of Dolays, knights, and others. Glenkerny, on the Feast of the Purification, [2d February] 1280, ... 7

11. Charter by Gilbert of Glencarny, granting to Duncan of Feryndrawcht, in free marriage with Marjory his daughter, and to their heirs, the east davoch of the lands of Conynges, in the holding of Abernethy, with the homage and service of his tenant of the davoch of Wester Conynges, with all right and lordship competent to the granter or his heirs in any case whatsoever, both in the said davoch of land and in the tenant thereof, namely, the davoch which Cecilia, the daughter of the deceased Sir William Ruffus, knight, then held of the said Gilbert, in feu and heritage, for homage and service: To be held by the said Duncan and Marjory, and the heirs of their bodies, in free marriage, as freely as any one in the realm of Scotland held or possessed any land by gift of any baron. Witnesses, Archibald Bishop of Moray, Henry Bishop of Aberdeen, Sir Reginald le Chen, Sir William of Dolays, knights, and others. *Inter* 1281 and 1298, ... 7

12. Declaration by Malise Earl of Stratherne, that because Sir Gilbert of Glenkerny, senior, had rendered him bodily service, adhering to him and staying with him with his following in the Scottish war, contrary to the tenor of his charter of his tenement of Glenkerny, which he held of the Earl, the Earl protests service so rendered should engender no prejudice to Sir Gilbert or his heirs, or to the tenor of his charter in time to come, and that such service should not be due to the Earl or his heirs in time coming except at the pleasure of Sir Gilbert or his heirs. Perth, Sunday after the Feast of St. John the Baptist, [26th June] 1306, ... 8

13. Charter by John Randolph, Earl of Moray, Lord of Annandale and Man, whereby he grants and confirms to his faithful John le Grant and his heirs the whole land of Dovely, together with the custody of the Earl's tower and manor-place of Tarneway, at the Earl's own expenses, and also with the keeping of the Earl's whole forest beyond his park: To be held of the Earl and his heirs, in fee and heritage, for payment to

PAGE

them of one penny in name of blench farm, at the Castle of Forres, at Whitsunday, if asked only. Given under the great seal of the Earl's chancery. Witnesses, Lady Isabella Randolph, Countess of Moray, the Earl's mother, Simon Abbot of Kinloss, and others. Elgin, 1st April 1346, ... 8

14. Charter by William, sixth Earl of Ross and Lord of Skye, son and heir of Sir Hugh of Ross, sometime Earl thereof, granting to his beloved and faithful John Scot, burgess of Inverness, for his faithful service, the whole annualrent lawfully due to the granter out of the lands of Culclochy within Strathnarryn, in the earldom of Moray, and all right and claim competent to him, his heirs or successors, in the premises, in time to come: To be held by the said John Scot and his heirs, of the Earl and his heirs, for the payment of a pound of cumin at Whitsunday yearly, at Inverness, and for doing to the King the service due by law for such annualrent. Manor of Dalgeny, 12th November 1358, ... 9

15. Charter by Patrick the Grant, Lord of Stratharthoc, granting to William, called Pilche, burgess of Inverness, his son-in-law, the whole davoch of the land of Kyldreke, with the half davoch of Glenbeg, lying within the granter's lands of Inveralyane: To be held by the said William and the heirs begotten between him and his spouse, Elizabeth, the granter's daughter, of the said Patrick and his heirs, as freely and honourably as any predecessor of the granter had held the said lands of the King, or as he himself held them of Thomas Earl of Moray and his heirs, on condition, however, that the lands should return to the granter and his heirs on failure of heirs of the body of the said William and Elizabeth, for performing the King's forensic service pertaining to the said lands, as contained in the charter of Inveralyn, granted to the said Patrick's father, and paying to the granter a silver penny in name of blench-farm yearly, at Whitsunday, if asked only. Witnesses, Alexander Bishop of Ross, Robert Prior of Beauly, etc. *Inter* 1357 and 1362,..... 10

16. Charter by John called Skinner, burgess of Inverness, to John called Scotte, burgess of Inverness, of a piece of land, with the buildings and pertinents, in the town of Inverness, lying and bounded as therein described: To be held of the granter and his heirs, by the said John Scotte, his heirs and assignees, in feu and heritage, for ever, for performing to the King, and to the burgh of Inverness, in the neighbourhood, the services due and wont, and paying to the granter and his heirs 13s. 4d. sterling yearly. Sealed with the seals of Alexander called Pilche, alderman, Alexander called Yrinpurse, and other burgesses, as also with the common seal of the burgh, which were adhibited at the granter's request. *Circa* 1360, ... 11

17. Charter by King David the Second, confirming to his beloved and faithful Gilbert of Glencharny, all the lands of the barony of Glencharny, with the pertinents, in the earldom of Moray and shire of Inverness, which had been resigned by the said Gilbert into the King's hands: To be held by him and the lawful heirs-male of his body; whom failing, by Duncan Fraser and Christian his spouse, sister of the said Gilbert,

PAGE

and the survivor of them, and the lawful heirs-male of their bodies; whom failing, by the heirs lineally descended of the said Gilbert, in fee and heritage, for performing the services due and wont. Aberdeen, 18th January, thirty-third year of reign, [1362-3], 12

18. Letters of Procuratory by John of Hay, Laird of Tolybotvill, Sheriff of , constituting M^cCrachter M^cYoin his mair and substitute, to give to Gilbert of Glenkerny, by the King's and Sheriffs' authority, sasine of the lordship of Glenkerny, with all its rights and pertinents. Inverness, 4th March 1364,..... 12

19. Letters under the Privy Seal of King David the Second, inhibiting Robert, son of Duncan of Athole, from wasting, or causing to be wasted, the lands of Glenchernin, which his Majesty had recently learned he was doing, on the ground of a certain sale made to the said Duncan his father, by Laurence Gelibrand, knight, of the marriage of Gilbert of Glenchernin, to which, as his Majesty had heard, Laurence had no right; and charging the said Robert, if any right in the marriage in question appeared competent to him against either of the said Gilbert or Laurence, he should prosecute it before the King and his Council. Elgin, 20th April, A. R. R. 37, [1367],..... 13

20. Charter by Marjory, Countess Dowager of Moray, and Thomas of Dunbar, Earl of Moray, son and heir of the late Sir John of Dunbar, Earl of Moray, and the said Lady Marjory, granting to Gilbert of Glencherny, in excambion for the lands of Glencherny, with the pertinents, in the earldom of Moray and shire of Inverness, their whole land of the two Fochabers, in the earldom foresaid, with "fortyris" of the same, and the lands on either side of the water of Spey belonging to the said lands: To be held by the said Gilbert and his heirs or assignees, of the granters and their heirs, in feu and heritage, for rendering of three suits yearly at the three head courts of the Sheriff of Elgin; reserving also the King's service. The charter further grants to the said Gilbert, for the cause foresaid, the whole land of Mayne, near Elgin, for his lifetime, to be held of the granters, without reddendo, but to revert freely to them and their heirs after the decease of the said Gilbert. And the said Marjory and Thomas warrant to the said Gilbert and his foresaids the said lands of Fochabers, notwithstanding the claim of dowry made thereon by Margaret, spouse of the said Thomas, to whom Dunkenedy and Cayldecotys were given in recompence thereof. Cathedral Kirk of Elgin, 15th February 1891, ... 13

21. Indenture between Thomas of Dunbar, Earl of Moray, and Gilbert of Glencherny, then lord of Fochabers and tenant thereof, whereby the latter, for the sum of £100 sterling, payable at the terms therein specified, sells to the former the two towns of Fochabers, in the earldom of Moray, lying on the east side of the water of Spey: To be held by the said Earl and his heirs and assignees for ever. Elgin, 26th March 1398,..... 14

22. Notarial Instrument, certifying that Elizabeth le Grant, Lady of Stratharach, a noble woman, compeared personally in presence of Robert Bishop of Dunkeld and Alexander Stewart, Earl of Mar, and publicly declared that she had made no alienation of her lands of Stratharach to any one, except that which she then intended to make, and

PAGE

made, to her dearest son, James Makintoche, to whom and to his heirs she then granted all right and claim of right she ever had or could have to the said lands, in fee and heritage, for ever, and gave her oath thereupon. Done in the Great Chamber of the Castle of Kyndromy, 28th August 1419, ... 15

23. Notarial Instrument on the resignation by Thomas Parkar, burgess of St. Andrews, of the lands of Wormote, in the barony of Auchnachtane and shire of Fife, into the hands of William of Hay, knight, lord of Auchnachtane, his overlord, in favour of the said William and his heirs, for ever; renouncing all right to the same. 4th March 1422, ... 16

24. Charter by Robert Waus, burgess of Inverness, with consent of Alexander Waus, bishop of Galloway, John Waus, Gilbert and Richard Waus his brothers, to Andrew Rede, burgess of Inverness, of two perticates of land, with the buildings thereon, in Church Street, in the burgh of Inverness: To be held by the said Andrew, his heirs and assignees, of the said Robert, his heirs and assignees, for paying to the Laird of Dryltoun two shillings, and to the King the usual farm-duty yearly; reserving the King's forensic service. Edinburgh, 20th May 1426, ... 17

25. Precept from the Chancery of King James the First, directed to the Sheriff of Elgin and his bailies, proceeding upon a retour to Chancery, for infefting Duncan le Grant as heir to his mother, Matilda of Glencherny, in the fifth part of the barony of Rothes Wiseman and Burnemekty, with the pertinents, the two Fochabers, the half of Surestoun, and two merks of annual rent to be uplifted out of the town of Thornhill, which were all held of the Earl of Moray in chief, which earldom of Moray was then in the King's hands. Edinburgh, 31st January, twenty-ninth year of reign [1434-5], ... 18

26. Charter by Nicholaus Man, burgess of Inverness, to John, son of Alexander "Magnus," of the half of a tenement in the Kirkgate of Inverness: To be held by him, his heirs and assignees, of the granter, his heirs and assignees, for payment of two shillings yearly to the granter, and three pence three farthings to the King. Witnesses, John Grant, Provost of Inverness, Donald the Smith and Hugh Clerk, bailies, and others. Inverness, 4th February 1438, ... 19

27. Notarial Instrument, certifying that in presence of the notary and witnesses, compeared personally Walter of Douglas, laird of Cramunde, by petition and request of Patrick Ferguson, burgess of Inverness, with reference to a sasine of the lands of Gaych, Drekky, and Glenbeg, formerly given by him, and publicly confessed and declared that in the time of the late Thomas of Dunbar, Earl of Moray, he, the said Walter of Douglas, was appointed by him Sheriff of Elgin; that the said Earl admitted certain letters of inquest of the lands of Gaych, Drekky, and Glenbeg, with John of Narryn, formerly lord of Cromdale, and procurator for Elizabeth and Margery, daughters of William Pylch, formerly laird of these lands, to the head sheriff-court of the town of Elgin, for making an inquest of the said lands; that after the making of the inquest he rode with the Earl as far as Glencherny, and that on his return he gave sasine of the said lands to the said John of Narryn, as procurator for the said

PAGE

Elizabeth and Margery Pylch, and invested him therein in their name ; and that this was done at the Martinmas next after the death of Sir Thomas Steuart, Earl of Garioch. Done at Inverness, before the kirkyard gate of the parish kirk thereof, 11th May 1445, ... 19

28. Charter by John Wynne, burgess of Inverness, son and heir of the deceased Alexander Wynne, burgess thereof, confirming to Sir Hugh Mitchelson a perticate of land in the Kirkgate of Inverness : To be held by him and his heirs and assignees, of the granter, his heirs and assignees, for payment to the chapel of the Virgin Mary of the Grene of Inverness, of 4s. Scots yearly, and 5d. to the King, at the terms used in burgh. Warrandice of the land is given under the penalty of £10 Scots, to be applied to the fabric of the parish kirk of Inverness. Inverness, 10th February 1450,..... 21

29. Precept of Sasine directed by Archibald Earl of Moray and Master of Douglas to Duncan le Grant of Fruychy, for infefting John the Hay of Mayn in the half of the town of Inverarian, half of Glenbeg, and half of the town of Drekky, with the pertinents, in the shire of Moray and regality of Ballokhill, which lands had belonged to the late Elizabeth Pylche, and had been resigned by her in her pure widowhood, into the granter's hands, as is contained in the said John's charter thereof. Elgin, 31st August 1453, ... 22

30. Notarial Instrument on the agreement between David Bishop of Moray and the Chapter thereof, and Alexander Kere [Mackintosh] of Rothiemurchus, in the controversy between them respecting the occupation of the kirklands of Rothiemurchus by the said Alexander, by which agreement it was concluded that the bishop and chapter should grant the Kirklands of Rothiemurchus to the said Alexander and his heirs for ever, for payment of 24 marks Scots yearly, the lands to revert to the bishop and chapter of Moray in default of payment. But if the said Alexander, while not failing in such payment, should find other lands to the value of ten pounds of annual rent in the shire of Moray, between the waters of Ness and Spey, and between the glen of Rothes, barony of Lethyn, and the sea, or lying within the said barony and not higher [up the Spey], in which he should infeft the church of Moray, to be held of the King in chief, then the said Alexander and his heirs should have the said lands of Rothiemurchus in excambion, to be held of the church of Moray in chief, without any further payment of the said annual rent. 23d August 1464,..... 22

31. Notarial Instrument, recording the assignation by David Stewart, Bishop of Moray, with consent of his chapter, of the lands of Rothiemurchus to Alexander Keyr Makyntoschey and his heirs, which lands had been resigned by the latter into the bishop's hands, in terms of an instrument made between them thereupon. Done in the Cathedral Kirk of Moray, 24th September 1464, ... 24

32. Charter by David Stewart, Bishop of Moray, with consent of his chapter, to Alexander Keyre Makintosh, of the kirklands of Ratamurcous, with the pertinents, in the shire of Inverness : To be held by him and his heirs, of the Bishops of Moray, in fee and

PAGE

heritage, for payment of 24 merks yearly, till the said Alexander or his heirs should seise the bishop and church of Moray in ten pounds' worth of sufficient land, in excambion for the foresaid lands of Rothiemurchus, then to be held of the bishop and church of Moray in chief; reserving the King's forensic service, due and wont, and paying a fir cone to the bishop at the manor-place of Rothiemurchus, if asked. The lands to revert to the bishop and his successors, on failure of the grantee or his heirs to pay the said annualrent, etc. Elgin, 24th September 1464, ... 24

33. Retour of Service of Duncan Grant, knight, as heir of the deceased Gilbert of Glencharny, in the lands of Kunnyngais, with the pertinents, which were then valued at 40s., and in time of peace at 10 marks. The retour was expede before Celestine of the Isles, sheriff-depute of Inverness, 25th February 1464, ... 26

An indorsation states that seisin was not given on this retour, in consequence of certain specified defects therein.

34. Charter by King James the Third, under the Great Seal, to Alexander of Dunbar of Westfield, knight, of the lands of Westfeilde, Focabris, and Auldecasch, in the shire of Elgin, erecting the said lands, which belonged to the said Alexander heritably, and had been resigned by him into the King's hands at Edinburgh, into the barony of Westfeilde: To be held of the King and his successors, for rendering the services used and wont. Edinburgh, 10th February 1467, ... 27

35. Retour of Duncan of Grant, knight, as heir of his grandfather, Gilbert of Glencherny, in the lands of Cunygass, in the shire of Inverness, which lands were then worth 40s., and in time of peace 10 marks, and were held of the Crown by ward and relief, and had been in the hands of the King since the death of the said Gilbert, who died about thirty years previously. Expede before Celestine of the Isles, sheriff-depute of Inverness, at Inverness, 7th February 1468, ... 28

36. Precept from the Chancery of King James the Third, to infeft Duncan the Grant, knight, as heir of Gilbert of Glencarny, his grandfather, in the lands of Cunygais: Taking security for £60 of farm duties of the lands, which had been in the King's hands for thirty years, the duties extending yearly to 40s., and for 40s. of relief of the said lands. Edinburgh, 3d March, ninth year of reign [1468-9]..... 29

37. Notarial Instrument, narrating that James Hay, lord of the barony of Nauchtan, and of the property of the lands of Wormet, as he alleged, in the shire of Fife, passed to the said lands of Wormet, then in debate between him and Elizabeth his sister, spouse of John Heryng, and there recited that, in answer to a summons, he compeared before the King's Council at Edinburgh, where it was enacted by the said council that the said lands should be recognosced in the King's hands to the 15th June next following: And because, as the said James averred, the said lands of Wormet had not been recognosced at the date of the present instrument, neither by the King, nor by an officer in his name, and that it was lawful to him to poind and distrain for the maills thereof, which extended to six merks Scots; he forthwith caused four neighbours to pass to a field where certain oxen were grazing, and to

PAGE

apprise six oxen for the maills of the lands. The neighbours being duly sworn, apprised four oxen, which the said James left to pasture, as his property, on the said lands. 20th May 1472, ... 29

38. Charter by Marjory Lude, Lady of the half of the barony of Freuchie, whereby, in her widowhood, urgent need, and for the sustentation of her life, she wadsets to Patrick Grant, her carnal son, her lands of Achinarrow, Downan, Port, and Dalfour, in the barony of Freuchie and shire of Inverness, for 600 merks Scots: To be held by him and his heirs till the foresaid sum should be repaid on the high altar in the Cathedral Kirk of Moray; the said Patrick and his heirs rendering to the superior the services due and wont. Cathedral Kirk of Moray, 28th July 1473, ... 30

39. Notarial Instrument, narrating that in presence of notaries and witnesses, compeared Alexander Makyntoischie, thane of Rathamurchus, and declared that he had, that very hour, seen James Steuart, constable of the palace of Spyny, and bailie of David Bishop of Moray in that part, give sasine and possession to Duncan Makyntoischie, of the lands of Rathamurchus, pertaining to him, the said Alexander, as he alleged, by various rights, and that such sasine, if allowed, would seriously prejudice him and his heirs; wherefore, in a loud and distinct voice, he broke, cassed, and annulled the foresaid sasine, so far as he could, and in token of such cassation, he, within the house in the door of which the sasine had been given, broke with his foot a wooden dish and put out the fire kindled there, protesting that the pretended sasine should not prejudice him in time coming. 20th July 1475, ... 31

40. Precept by Duncan Grant of Freuchie, knight, to infeft James Douglas of Pedindrecht, for his lifetime, in the fifth part of the half of the town of Surastoune, with their pertinents, in the shire of Elgin. Burgh of Elgin, 25th September 1475, ... 32

41. Notarial Instrument, narrating that in presence of William of Duffous, notary-public, and witnesses, personally compeared Elizabeth Pilche and Marjory Pilche, being in their widowhood, and appointed Alexander Dunbar of Westfield, knight, James Dunbar of Connoch, and others, their lawful procurators, for surrendering in the King's hands, or in the hands of others having power to receive resignations, in favour of Alexander Hay of Mayne, the lands of Inuerellene, Gaich, Glenbege, Cragyne, and Dregye, with their pertinents; also the lands of Culcabok, Knokintenuaill, and Auch, in the shire of Inverness; also lands and annual-rents in the burgh of Inverness, belonging to the said Elizabeth and Marjory Pilche heritably: Reserving to the granters their liferent of the subjects disponed. 20th May 1482, ... 33

42. Gift by George Earl of Huntly, Lord Gordon and Badenoch, to John the Grant, son and apparent heir of the deceased John the Grant, son of Sir Duncan the Grant, of the four davachs of Kynrara, Raite, Blarowye, and Gask, in the lordship of Badzhenacht and shire of Inverness, for his manrent and service done and to be done to the Earl all the days of his life: To be held by the said John Grant, younger, for his lifetime; reserving to the Earl and his heirs the ferme multure of the foresaid lands. Kyldrwme, 16th September 1483, ... 34

PAGE

43. Contract of marriage between James Ogilvy of Deskworth, knight, and John the Grant, grandson and apparent heir to Sir Duncan the Grant of Freuchie, knight, whereby the said John became bound to take to wife Margaret Ogilvy, daughter of the said Sir James, and to complete the marriage on eight days' warning, whenever the latter required him thereto: For which cause the said Sir James became bound to pay to the said John 300 marks Scots, by termly payments; and the said John should infeft the said Margaret in 20 marks worth of land, in conjunct-fee; and the said Sir James and his son and the said John engaged to stand leal and kind to one another in all their honest causes, etc. Bog of Geith, 15th September 1484, ... 35

44. Notarial Instrument, recording the resignation by Robert Stewart of Abernethy of his lands of the two Cullarleys, in the shire of Aberdeen, into the hands of George Earl of Huntly, overlord of the same; which lands were thereafter given by the Earl at the said Robert's request, to Alexander Stewart his son, by re-delivery of the staff and baton, and the Earl further granted and promised to give sasine of the lands, with charter and other necessary deeds. St. Mary's Chapel, in the cathedral kirk of Moray, 14th December 1485, ... 36

45. Instrument of Sasine, proceeding on a brieve from the Chancery of King James the Fourth, directed to Malcolm Ogilvy, sheriff-depute of Inverness, in favour of John Grant, grandson of the deceased Duncan Grant of Freuchie, in the half of the lands of Fruchy, the two Culquhetis, the two Connageis, and Glenloquhy, in the shire of Inverness. Sasine given on the Ground and Messuages of Fruchy and Connageis, 17th June 1489, ... 37

46. Precept of Sasine by George Earl of Huntly and Lord of Badzenach, for infefting John Grant of Freuchie in his whole lands of Corroo and Tollochgorme, with their pertinents, in the lordship of Badenoch and shire of Inverness. Huntlie, 14th June 1491, ... 39

47. Instrument of Sasine, proceeding upon the foregoing precept, in favour of the said John Grant of Freuchie, of the lands of Corroo and Tullochgorm. Done on the said lands, 20th June 1491, ... 39

48. Precept of Sasine by George Earl of Huntly and Lord of Badzenacht to James Grant in Balnadalloch, and others his bailies, to infeft John Grant of Freuchie in the lands of Clewchrie, in the lordship of Badenoch. The place of Gecht, 4th February 1491, 40

49. Charter by King James the Fourth, under the Great Seal, confirming to his well-beloved John Grant of Freuchequhy the lands of Freuchequhy and mill thereof, with the pertinents, the two Culquheichis, Dailfoure, Auchynnegale, the two Connygais and mill thereof, and Glenlochy, with the pertinents, in the shire of Inverness; the fifth part of the lands of Lincauwode, and of the mill thereof; the fifth part of the lands of Birmukty and of Garboty; the half of the lands of Inchebary and of Ordyquhois; the half of the lands of Mulven; the six shilling and eight penny lands of Surestoun, with their pertinents, in the shire of Elgin, which all belonged heritably to the said

PAGE

John, and were resigned by him into the King's hands at Edinburgh, upon which his Majesty, for the singular favour he bore to the said John Grant, and for his faithful service rendered to the Crown in many ways, erected and incorporated the same into one entire and free barony, to be called in all time coming the BARONY OF FREUCHEQUHY: To be held by the said John and his heirs, of the King and his successors, in fee and heritage, for ever, for rendering yearly three suits at the three head courts of the shire in which the lands respectively lie, with ward, relief, and marriage when they occur. Edinburgh, 4th January 1493, ... 41

50. Charge by King James the Fourth to the Sheriffs of Inverness, Elgin and Forres, and Banff, to desist from poinding and distraining John the Grant of Fruquhy for certain sums in which he was adjudged in the justice-eyres last held within the bounds of their offices, for non-entry of himself and several other persons to the said eyres; which sums the King had remitted to him for 400 merks, and for his service in the taking of Alan More M'Kewin and his accomplices, and for taking Finlaw Gibbounson in the Brae of Mar. Edinburgh, 10th June, tenth year of reign [1498], ... 43

51. Charter by King James the Fourth, under the Great Seal, to John Grant of Freuchie, of the lands of Glencarnee and Balnadalach, with the mills thereof, in the shire of Elgin and Forres: To be held by him and his heirs, of the King and his successors, in feu-farm and heritage, for ever, for payment of £71 Scots yearly in name of feu-farm; the gift to lapse in case of failure in payment of the said feu-farm. Linlithgow, 4th February 1498, ... 43

52. Precept of Sasine by John Narne, baron of Cromdale, to Patrick Grant, and others his bailies in that part, for infefting John Grant of Freuchie in his lands of the half of the town of Nether Achinquhorsk, with the pertinents, in the barony of Cromdale and shire of Inverness, in terms of the said John's charter thereof. Burgh of Elgin, 16th April 1505, ... 44

53. Precept of Sasine by Thomas Kynnard of Culbin to his bailies, for infefting John Caldor, precentor of Ross, in the lands of the two Tulleglens, with the pertinents, in the barony of Culbin and shire of Forres; of which the lands of Over Tulleglens belonged to Duncan Paulsone heritably, and Nether Tulleglens to Thomas Farsson, and had been resigned by them into the hands of the said Thomas. Dundee, 23d February 1506, ... 45

54. Letters by George Earl of Rothes, Lord Lesly and Baron of Ballynbrecht, appointing John the Grant of Freuchie his assignee, to warn Alexander Gordon of Brekowcht, either at the "chymmyce" [manor-house] of Muldare, or at high mass in the parish kirk of Rothes, to receive the sum of £106, 13s. 4d. Scots for the redemption of the lands of Muldare, in the barony of Rothes and shire of Elgin, in terms of the letter of reversion made thereupon, etc. Falkland, 25th October 1507, ... 46

55. Notarial Instrument on a contract between John the Grant of Freuchie and John Cuming of Ernishead, narrating that in fulfilment of another contract made between

PAGE

them at Elgin on the 10th May preceding, the said John the Grant delivered to the said John Cuming 100 merks Scots in part payment of his son and heir's marriage; and that the said John Cuming became bound to infeft his son and the said John Grant's daughter in a £20 land, within three months after their marriage, etc. Hall of Altre, 8th November 1508, ... 47

56. Precept of Sasine by James Dunbar of Cumnok, successor and heir of Alexander Dunbar of Westfield, knight, for infefting James Dunbar of Auldcasche in the lands of Auldcasche, in the shire of Elgin, which belonged to the said James heritably, and had been resigned by him into the granter's hands, as superior thereof. Edinburgh, February 1508, ... 49

57. Charter of Sale by John Cuming of Ernished to John Grant of Freuchie, of the half of the lands of Mulben, and the whole of the lands of Mekle Balnabrochis, with their pertinents, in the shire of Elgin: To be held by him and his heirs and assignees, of the King and his successors, Kings of Scotland, in fee and heritage, for rendering to them the services due and wont. Burgh of Elgin, 29th June 1509, ... 49

58. Charter of Confirmation by King James the Fourth, under the Great Seal, of the immediately preceding charter. Edinburgh, 31st July 1509, ... 50

59. Charter by King James the Fourth, under the Great Seal, to John Grant of Freuchie, of the 12 merk land of Bordlande of Urquhart, with the castle and fortalice thereof, the 6 merk land of Kill Saint Ninian with the mill thereof, the 6 merk land of Karowgar, the 6 merk land of Drumboy, the 3 merk land of Wester Bunlaode, the 3 merk land of Middle Bunlaode, the 3 merk land of Easter Bunlaode, the 6 merk land of Ballymakauchane, the 6 merk land of Gartale, the 6 merk land of Polmale and Dulchangy, the 9 merk land of the three Inchbrunys, the 3 merk lands of Mekle Deveauch, with the office of forester of the forest of Cluny, with the shiels of the forest, extending in all to a £46 land of new extent, as contained in the King's new rental, lying in the lordship of Urquhart and shire of Inverness; reserving to the King and his successors the property of the forest of Cluny and shiels thereof; which lands, castle, and others, his Majesty, of his special favour, and for the thankful service done to him by the said John Grant, united and erected into the barony and feu-farm of Urquhart, of which the castle of Urquhart was to be the chief messuage: To be held by the said John Grant and his heirs-male, in feu-farm and heritage, for payment yearly for the said lands and barony (except the lands of Petcarril Chapel, which the King reserved to the Chapel of St. Ninian of Urquhart), of £46 Scots, with a duplicand on the entry of each heir, with the marriage of the heir when it occurred, and 6s. 8d. in augmentation of rental: The said John and his heirs being bound also to find and maintain a lance, that is three sufficient horsemen, for every £10 land, to the King's diets in time of war, beyond the kingdom, and to build a tower at the messuage of Urquhart, etc. Stirling, 8th December 1509, ... 51

60. Charter by King James the Fourth, under the Great Seal, to John Grant, younger son of John Grant of Freuchie, of the £4 land of Corrymony, the £4 land of Morull, the

PAGE

£8 land of the four Mikleis, the 40s. lands of Lochletter, the 40s. lands of Auchintamarag, the 40s. lands of Deveauch, and the half of the lands of Mekle Clune, extending to a 20s. land, and the 40s. lands of Petcarill Croy, extending in the whole to a £27 land, as contained in the King's new rental, lying in the lordship of Urquhart and shire of Inverness; which lands the King, out of special favour, erected into the barony and feu-farm of Corrymony: To be held by the said John Grant, younger, and his heirs-male, of the King and his successors, in feu-farm and heritage, for payment of £27 Scots yearly, with the marriage of the heir when it occurred, and 6s. 8d. yearly in augmentation of rental, etc. Stirling, 8th December 1509, ... 54

61. Precept by James Dunbar of Cunze to his bailies, for infefting Alexander Gaderer, burgess of Elgin, and Issabel Sclater his spouse, in the lands of Auldecaiche, with the pertinents, in the shire of Elgin, in terms of his charter granted to them thereof. Burgh of Elgin, 4th June 1510, ... 56

62. Letters of Composition in favour of John Grant, natural son of John Grant of Freuchie, for receipt of, and intercommuning with, rebels that were at the horn. Inverness, 1st July 1510,..... 56

63. Letters of Composition in favour of Gillecreist Makgillecallum, John Makgillecallum, and others, in Urquhart and Cromdale, for receiving, intercommuning with, and assisting the King's rebels, being at the horn, and to William Alexanderson, for being art and part in the slaughter of the deceased Ferchard Makewin, etc. Inverness, 10th July 1510, ... 57

64. Letters of Composition in favour of John Grant of Freuchie, for receipt of, intercommuning with, and assisting the King's rebels, being at his horn. Elgin, 15th July 1510, ... 58

65. Acquittance by Thomas Lord Fraser of Lovat to John the Grant of Freuchie, for the sum of 400 merks Scots, in part payment of a larger sum promised to him by the said John for contract of marriage of his eldest son and apparent heir, Hew Fraser. Mulben, 29th April 1512, ... 58

66. Bond of Manrent by James the Grant, son and apparent heir of John the Grant of Freuchie, whereby he became bound, during his father's lifetime, to take the part of his uncle, Alexander Ogilvy of Deskford, and to "ryd and gang with him in al his honest and rychtwis caussis, specialie aganis the Clanquhattane," if they invaded his lands, etc. Findletter, 19th April 1514, ... 59

67. Contract between Alexander Earl of Huntlie and John Grant of Freuchie, whereby the Earl, for the sum of 200 merks borrowed by him from the said John Grant, became bound to give to the latter and his heirs the non-entry of the lands of Auchinnisse, with their pertinents, in the shire of Banff, with all right he had to the said lands; if John Grant accepted, he was to pay to the Earl 100 merks more; and if he did not, the Earl was to repay him the 200 merks, etc. Huntlie, 6th August 1514, ... 59

PAGE

68. Gift by Alexander Earl of Huntlie, Lord of Boyne and Ainze, overlord of the lands of Auchanyse, to John the Grant of Freuchie, his heirs and assignees, of the non-entry of the said lands of Auchanyse, which had been in his Lordship's hands since the gift and alienation thereof made by Lady Jelis to the Laird of Petslegach, etc. Huntly, 16th October 1514, ... 60

69. Charter by John, son of Andrew Keransone, *alias* Lavebane, to Patrick Faide, of a rood of land lying on the west side of the water of Ness, bounded as therein described: To be held by him, his heirs and assignees, from the granter, his heirs and assignees, for paying to the King five pennies, and three shillings to St. Mary of the Green, near Inverness. Burgh of Inverness, 26th August 1517, ... 61

70. Decreet by the Lords of Council in the action pursued by John Grant of Freuchie against Donald Ilis of Lochalsche, knight, William Chisholm of Comermoir, and others, for spoliation and taking from him of the fortalice of Urquhart, carrying off his victuals and household goods therefrom, and from the town and grange of Kyl Saint Ninian and his other lands in Urquhart, for which offences the said Donald Ilis and others are decerned to pay to the said John Grant, for the wrong and injury done to him, the sum of £2000 Scots. Edinburgh, 26th February 1517, ... 62

71. Indenture between John the Grant of Freuchie and James Grant his son and apparent heir, on the one part, and Ewin Allanson, captain of Clan Cameron, and Donald his son and apparent heir, on the other part, by which they bind themselves to mutual friendship and defence; especially the latter became bound to defend John the Grant and his heirs in Urquhart and Glenmoriston, and the former to defend Ewin Allanson and his heirs in Lochaber; and the said Donald Ewin Allanson became bound to espouse and marry Agnes Grant, daughter of the said John the Grant, under a dispensation; but if the dispensation did not come home in time, the parties agree to be "handfasted" for marriage, the same afterwards to be completed under a penalty of 1000 merks, etc. Urquhart, 22d October 1520, ... 64

72. Precept of *Clare Constat* by James Bishop of Moray, for infefting Allan Keir Makkyntossche as son and heir of John Keir Makkyntossche his father, in the kirklands of Rothiemurchus. St. Andrews, 14th August 1521, ... 65

73. Contract between Donald Ewin Allanson and Alexander John Alexanderson, in which they swear friendship to each other, and agree that if the said Donald got the 13 merk land of Invergarry in tack, feu, or heritage, he should give and let a part of it, that is, the Lagane, to the said Alexander, etc. Banwe, 21st March 1521, ... 66

74. Discharge by James Earl of Moray to John Grant of Freuchie for the maills of Glencarny, from Martinmas 1516 to Whitsunday 1522, with the exception of £15, 10s. 6d. Elgin, 26th July 1522, ... 67

75. Retour of William Hay of Mayn, as heir of Alexander Hay of Mayn his cousin, in the lands of Inverellan, Gaich, Glenbeg, Cragin, and Dregy, in the shire of Inverness, which were then valued at 40 merks, and in time of peace at 10 merks, and were held of

PAGE

the King for service due and wont, and had been in the King's hands for eighteen years or thereby, since the death of the said Alexander Hay, to wit, ten years from the non-age of the heir, and eight years through his not prosecuting his right. Tolbooth of the burgh of Edinburgh, 26th March [1530], ... 67

76. Notarial Instrument on agreement, in lieu of letters of slains, between John Grant of Freuchie, James Grant his son and apparent heir, Robert Grant, John Grant More, and Patrick Grant in Balnadalloch, for themselves and in name of the whole Clan Grant, on the one part, and Finlay Farquharson, Thomas Kay, Sir Richard Thomas M^cWilliam, John M^cConnaldmore, and many others, tenants of the King in Strathdee, for themselves, their orphans, kin, friends, and adherents, on the other part, whereby they mutually forgive one another, on the one part, the beheading and slaughter of the men of Strathdee, and taking of their goods by the Grants, and on the other part, the beheading and slaughter of the men of Strathspey and Stradone, and taking their goods by the said Finlay Farquharson and his kin and friends, and agree to make mutual amends therefor. Dilmorar, in the parish of Strathavin, 8th October 1527, 68

77. Notarial Instrument (made 9th January 1528) on agreement, in lieu of letters of slains, between James Grant, Robert Grant, John Grant Moir, and Patrick Grant in Balnadalloch, in name of themselves and the whole Clan of Grant, on the one part, and John M^cFuktour, John M^cMichell, Agnes Mores, Matthew M^cGillereache's wife, Morgund Mathowson, Alexander Maitland, John Lammeson, Marjory Lammeis' daughter, and many others, tenants of the King, George Earl of Huntlie and James Gordon of Aberzeldie, in Strathdee, by which, deploring the slaughter of the men of Strathdee and the carrying off of their cattle and goods, on the one part, and slaughter of the men of Strathspey and Strathown and carrying off their goods, on the other part, and wishing to make amends for such evil deeds and to live at peace in time to come, they upon oath remit all rancour and hatred against one another, promise to make amends and satisfaction for the losses sustained on either side, and agree that the present instrument should stand in place of a final remission or a letter of slains. Aberzelde, 4th January 1527, ... 70

78. Letters by King James the Fifth, under the Great Seal, remitting to John Grant of Freuchie, James Grant his son and apparent heir, William Grant brother of the said John, John Grant natural son of the said John, Lachlan Makra, John Grant son of the said John Grant of Freuchie, and many others, the crime of staying at home from the King's host at Solway and the siege of Wark Castle, with other offences, and taking the persons aforesaid under his firm peace and protection. Aberdeen, 13th February 1527, ... 72

79. Letters of Gift by King James the Fifth, under the Privy Seal, to James Grant, son and heir of the deceased John Grant of Freuchie, his heirs and assignees, of the non-entry, maills, profits, and duties of the lands of Glencharny, Balnadalloch, and Urquhart, in the shire of Inverness, which pertained to the deceased John Grant, and were then in the King's hands by reason of non-entry: To be held by the said

PAGE

James, his heirs and assignees, during the non-entry, for payment of the feu-maills and duties used and wont. The letters also discharge payment by the said James Grant of the usual duplicand of the feu-duty on his entry to the said lands, etc. Edinburgh, 24th December 1529, ... 73

80. Letters by King James the Fifth, under the Privy Seal, narrating that because the King had confirmed the charter made by his late father to the deceased John Grant of Freuchie and his heirs, of the lands of Glencarney and Balnadalloch, with the miln thereof, in the shire of Elgin and Forres, although the late John Grant and James Grant, now of Freuchie, had failed in payment to the King of the feu-farm of the said lands for seventeen years or thereby, having paid it to James Earl of Moray, the King's brother, yet that such non-payment should not prejudice the said James Grant, his heirs or assignees, in their right to the said lands, his Majesty renouncing all title he might have to the same through the non-payment of such feu-farm. Edinburgh, 19th March 1529, ... 74

81. Confirmation by King James the Fifth of a Decreet, dated at Edinburgh, 30th March 1530, whereby the Lords of Council decerned James Grant, as heir to his father, John Grant of Freuchie, to pay to the King £71 yearly for each of the sixteen years immediately preceding 1529, for the feu-maills of Glencharnie and Balnadallach, together with £71 for the year 1529, and assoilzied the said James Grant from the King's petition touching the forfeiting of the said lands, etc. Edinburgh, 2d April, nineteenth year of reign [1532], ... 75

82. Precept of *Clare Constat* by Margaret Lady of Gordon and Badenoch for infefting James Grant, as heir of his father, John Grant of Freuchie, in the lands of Tullochgorm, Cur, Clowry, Tulloch, and the half of Dalfour, lying in the lordship of Badenoch and shire of Inverness, which lands were held of her in chief as Lady of Badenoch. Bog of Geith, 20th March 1532, ... 76

83. Letter of Componitur with Gillanderis McGillemartyne McKerin, Kennoch McGillepatrick, and others, for staying back from the host at Solway and other crimes, except assistance given to Hector Mackintosh. Composition £14. Inverness, 26th November 1534, ... 77

84. Letters Patent by King James the Fifth, under the Great Seal, remitting all rancour of mind, royal suit, and action, against James Grant of Freuchie, for staying at home and absence from the King's host at Solway and Wark, contrary to the general proclamations, by which crime he incurred the loss of life, lands, and goods. Stirling, 28th July, twenty-second year of reign, 1535, ... 77

85. Indenture made between James Grant of Freuchie and John Grant in Balnadalloch, by which the former agrees to cause himself and his heirs-male to be infefted in the lands of Glencairnie and Balnadalloch, before the feast of Pasch next following; and thereafter to infeft heritably, by charter and sasine, the said John and his heirs-male in the lands of Balnadalloch, with the mill, alehouse, and fishings thereof: To be held of

PAGE

the said James and his heirs in feu-farm and heritage, for payment of £4 yearly, and the lands, etc., to return to the granter and his heirs on failure of heirs-male of the said John, who, on his part, became bound to give to the foresaid James his bond of manrent, as the rest of his kin had done, with various other conditions therein contained. Edinburgh, 1st August 1535, ... 78

86. Acquittance by King James the Fifth, under the signet, to James the Grant of Freuchie, for the sum of £1000 Scots, in complete payment of the sum of £2000 Scots, due for the King's letters of remission to him and his friends for certain great crimes; for the payment of which £1000 he and his cautioners were acted in the Books of Council, to have been paid to Henry Kemp of Thomastoun in the King's behalf. Castle of Stirling, 3d January 1535, ... 80

87. Retour of James Grant, as son and heir of John Grant of Freuchie, his father, in the lands of Freuchie, with the castle and fortalice thereof; the two Culquhittis, Achnegall, Daillfowir, two Cunigais, Glenloch, in the bounds of Strathspey and shire of Inverness; also the lands of Brodland, with the castle and fortalice of Urquhart, six merk land of Kil Sanct Ninian, six merk lands of Karrowgarrou, six merk lands of Drumboy and others, with the office of forestry of Cluny, in the lordship of Urquhart and shire of Inverness; the lands in Strathspey being held of the King for ward and relief, and the lands of Urquhart of the King for service of feu-farm, paying yearly £46, 6s. 8d. Scots, and doubling the feu-farm and marriage; which lands had been in the King's hands from the decease of the said John Grant, which happened in May 1528. Tolbooth of the burgh of Inverness, 3d October 1536, ... 80

88. Retour of James Grant of Freuchie, as heir of his father, John Grant of Freuchie, in the half of the town and lands of Mulben, with the pertinents, in the shire of Elgin, and the town and lands of Mekill Balnabrochis, in the same shire; which were held in chief of the King by the service of ward and relief, and had been in the King's hands, by reason of non-entry, since the death of the said John Grant, who died 1st May 1529. Tolbooth of the burgh of Elgin, 28th July 1539, ... 82

89. Notarial Instrument narrating the application made by James Grant of Freuchie to John Forsyth, macer, for a copy of the King's letters purchased by the Preaching Friars of Elgin, in order that, as a dutiful subject of the King, he might duly obey the same, which to do he had come specially to Elgin. James Grant also denied that he had any concern with the tenants of the kirklands belonging to the said Friars, and protested that the warning of the King's letters should not prejudice him in future, because he could not obtain a copy thereof. Elgin, 5th December 1539, ... 82

90. Precept of Sasine by King James the Fifth, for infefting Margaret Stewart, daughter of John Earl of Athol, and spouse of John Grant, son and apparent heir of James Grant of Freuchie, in liferent, and the said John Grant and his heirs, in fee, in the lands of Mulben, with the castle and fortalice thereof; the lands of Meikle Ballinbroth, in the shire of Elgin and Forres; the two Cunynghais, the lands of Auldcarne,

PAGE

Mekle Culquhotht, and Litill Culquhotht, in the shire of Inverness, which formerly belonged to the said James Grant, and were resigned by him into the King's hands. Edinburgh, 19th February, twenty-seventh year of reign [1539], ... 83

91. Letters, under the signet, superscribed by King James the Fifth, and directed to the Dean and Chapter of Moray, commanding them to give their consent and common seal to a charter of feu-farm of the lands and barony of Strathspey not set in feu before, granted at the King's command by Patrick Bishop of Moray to James Grant of Freuchie. St. Andrews, 27th April, twenty-seventh year of reign [1540], ... 84

92. Letters Apostolic by Cardinal Antony, Great Penitentiary of Pope Paul III., proceeding on a petition lately presented to him on behalf of John Grant of Balnadalloch, in the diocese of Moray, which bore that Patrick Bishop of Moray, with consent of his chapter, had granted and set in tack the lands of Advey, Tullithane, Calledur, Royrorye, and Auchnoky, in the barony of Strathspey and shire of Elgin and Forres, belonging to the church of Moray, to the said John Grant and his heirs-male; whom failing, to James Grant of Freuchie and his heirs-male; whom failing, to the nearest heirs of the said John whomsoever: To be held of the Bishops of Moray in feu-farm and heritage, for ever, for payment yearly of 32 merks, 10 bolls of oats, and three marts of the value of £5, 10s., etc. The Penitentiary directs the abbot of the monastery of Kinloss, Gavin Lesley, canon of Moray, and Thomas Gaderar, canon of Aberdeen, to make inquiry, and if they found the lease of the said lands to be for the evident good of the church and the bishop's table, to confirm the same with apostolic authority. Rome, ii of the kalends of May, the sixth year of Pope Paul the Third [31st April 1540], ... 85

93. Notarial Instrument, narrating that, in presence of the notary and witnesses, compeared an honourable man, Alexander Dolas of Cantra, and requested James Duf, vicar of Durris, to deliver to him a contract made between the said Alexander and Master George Gordon, constable of Badenoch, for alienation of the lands of Rothiemurchus by the said George to the said Alexander. Which contract, although placed in the custody of the said James, while in his own private chamber in the burgh of Inverness, was, he asserted, violently and wrongfully taken out of his hands and carried off by the said George. Inverness, 1st May 1542, ... 87

94. Contract between James Grant of Freuchie and Katherine Neyn W^cAllone, by which the latter, who was apparent heir to the late John Makallone her brother, in the half lands of Inverurnane, Theyrnis, and Edinglassy, in the lordship of Mar and shire of Aberdeen, and heir to the deceased Alister M^cAllone her father, in the half town and lands of Innercabok, in the lordship of Strathowne and shire of Banff, being debarred by poverty and her unfriends from getting entry to her heritage for sixteen years previously, agreed that the said James should raise brieves of chancery to have her duly entered to the said lands, and engaged thereafter to resign and overgive the lands to him, his heirs and assignees, to remain with them for ever, he paying her

PAGE

ten merks at the making of the contract, and binding himself to give his eight oxen-gang of land in Over Conigas or Aldquharne, in the barony of Freuchie, for her life-time, for penny maill, and to plenish the same for her, etc. Elgin, 27th August 1542. Subjoined is the Monition by the official of Moray, 28th August, same year, 88

95. Letters of Bailiery by James Grant of Freuchie, bailie of Robert (Reid) Bishop of Orkney, Abbot of Kinloss and of the convent thereof, appointing Alexander Cumming of Alteir to act in his absence as his bailie-depute of Kinloss, during their joint lives. Kinloss, 20th June 1544, ... 90

96. Letters Apostolic by Antonius, Bishop of Sabinensis, Great Penitentiary of Pope Paul III., appointing the Dean and Chancellor of Ross, and the Treasurer of Orkney, his commissioners, to confirm by apostolic authority a grant of the lands of Over Finlarg, otherwise Mukroth Finlarg and Nether Finlarg, in the barony of Strathspey, regality of Spyny, and shire of Elgin and Forres, made by Patrick Bishop of Moray to William Grant, son of James Grant of Freuchie, and the lawful heirs-male of his body; whom failing, to the said James Grant and the heirs-male of his body; whom all failing, to the lawful heirs-male of the said James Grant whomsoever, bearing the name and arms of Grant: To be held of the Bishop of Moray for the time in feu-farm and heritage, under an annual-rent of £22, 16s. Scots, with a duplicand at the entry of each heir, personal attendance at the bishop's chief courts at Spyny, and at his justiciary circuit court of the regality of Spyny, etc. St. Peter's at Rome, 12th kal. Septembris, tenth year of Pope Paul III. [21st August 1544], ... 90

97. Contract between George Earl of Huntly, on the one part, and James Grant of Freuchie, William Mackintosh of Dunnachtan, John Mackenzie of Kintail, Alexander Ross of Balnagowan, and Robert Monro of Foulis, on the other part, whereby the said John Mackenzie, Alexander Ross, and Robert Monro, became bound to assist the said George Earl of Huntly in getting the tacks and earldom of Ross at the hands of the Queen, Governor, or Countess of Moray, and not to serve, maintain, or obey any other that might get the said earldom, and to accept no bailieries, captainries, keeping of houses, profits, nor fees of any but the Earl of Huntly; and the Earl on his part became bound not to defend nor assist any in entry to the said tacks of Ross, nor to appoint any without the consent of the foresaid persons; and further, to give to the said John Mackenzie such bailieries for himself and his son as were agreed upon between them, in presence of James Grant of Freuchie, and William Gordoun, notary-public, the said John Mackenzie and his son Kenneth agreeing to give their bonds of manrent to the said Earl, and the Earl to give to Alexander Ross of Balnagown, and Robert Monro of Foulis, possession of such lands and bailieries as were named in his band of maintenance to them. Inverness, 25th March 1545, ... 93

98. Contract between James Grant of Freuchie and Alexander Dolas of Cantray, whereby the said James becomes bound to infeft Alexander Dolas and his heirs in the lands of Easter Urquhart, Cantray, Done, and Dalgramycht, in the shire of Nairn and barony of Cloway, before Martinmas following, or else to repay to him the sum of 1000 merks;

PAGE

and also to infeft the said Alexander within seven years thereafter in the lands of Cloway; also to pay him yearly, until he was infefted in the lands of Cloway, 20 merks out of the lands of Clowre and Wester Cur, and 600 merks at the terms therein specified. And the said Alexander became bound to infeft the said James in the lands of Rothiemurchus, in the shire of Inverness and regality of Spynie, within eight days after he was infefted in the lands of Easter Urquhart, etc. All under the penalty of 1200 merks, etc. Elgin, 23d April 1545, ... 94

99. Letters of Remission by Queen Mary, with consent of James Earl of Arran, Governor of Scotland, to John Earl of Sutherland and the inhabitants of the shires of Inverness, Nairn, and Cromarty, for their absence from the host and raid at St. Andrews, for the recovery of the castle thereof, on the ground that they were in the Queen's service with George Earl of Huntly, in Lochaber, at the time. 18th December [1545], ... 96

100. Bond of Maintenance by George Earl of Huntly, Lord Gordon and Badenoch, whereby, in consideration that James the Grant of Freuchie, and John the Grant his son and apparent heir, had become his men and granted him letters of manrent for certain lands in Strathowne in which he had infeft them, together with the office of bailiary thereof and the keeping of the Castle of Drummyn, his Lordship became bound to maintain and defend the said James the Grant and John his son in all their lawful actions, his allegiance to the Crown only excepted. Elgin, 8th May 1546, ... 97

101. Discharge by James Earl of Arran, Governor of Scotland, to James Grant of Freuchie, and other feuars of Urquhart and Glenmoriston, for three terms' maills preceding the date thereof, because the lands of Urquhart and Glenmoriston had been harried and burnt by the Clan Cameron, Clan Rannald, and Clan Ayane in the month of May 1545. 20th July 1546,..... 98

102. Transumpt, made by authority of Mungo Monypenny, Dean of Ross, and Vicar-General during the vacancy of that see, of a definitive sentence pronounced by Donald Abbot of Ferne, delegate of the apostolic see and the Dean and Chancellor of Ross, his colleagues in that part, in an appeal by Alexander Dunbar, Prior of Pluscardyne and the convent thereof, in the diocese of Moray, against Alexander Bishop of Moray, perpetual commendator of the Abbeys of Scone and Inchaffray, and Master Thomas Narn, his commissary-general, by which sentence, as judge-delegate, Abbot Donald found and decerned that the said Alexander Bishop of Moray and Master Thomas Gaderar had unjustly and wickedly issued pretended monitorial letters against the appellants for the sum of 350 merks Scots, thereby injuring them, and he therefore suspended the said letters, and absolved the appellants from the sentence of excommunication incurred, while he also declared the prior of Pluscardyne exempt from the jurisdiction of the Bishop of Moray, and found the Bishop and his commissary liable in the expenses of the suit. The sentence was pronounced in the church of the monastery of Ferme, 27th March 1536, and the transumpt made in the cathedral church of Ross, 9th May 1548, ... 99

PAGE

103. Contract between James Grant of Freuchie and Ewen Cameron of Lochiel, whereby, notwithstanding that the latter and his complices had committed enormities and misrules on the said James's lands of Urquhart, for which certain of the said Ewen's lands had been comprised by process of law, yet for love and favour James Grant agreed to let the profits of these lands remain with Ewen during his good behaviour and kindness to him, and became bound not to sell the said lands but by the advice of John McKenneth of Kintail and others; and Ewen Cameron became bound to take part with James Grant against all persons, the Queen and the Earl of Huntly excepted, etc. Conwent [Convinth], 10th October 1548,..... 102

104. Bond of Maintenance by James Grant of Freuchie to his cousin, John Grant of Balnadalloch, whereby the said James became bound to maintain and defend the said John, who had become man and servant to him for his lifetime, in terms of a band of manrent to be granted by the latter, in all his lawful actions, etc., as a kinsman ought to do. Freuchie, 1st May 1551,..... 103

105. Contract between James the Grant of Freuchie, on the one part, and Finlay Paterson, son and heir of William Paterson, burgess of Inverness, Janet Kar his mother, tutrix to the said Finlay, and Farquhar McConquhy of Dunmaglas her spouse, on the other part, by which the said Janet Kar, tutrix aforesaid, with consent of her spouse, agreed that the lands of Dollagrammych, in debate between the said James and Finlay, should be held and possessed by the said James Grant and his heirs; the said James and his heirs being bound to infeft the said Finlay in the lands of Mydbowne Leneth [Middle Bunloit], in the lordship of Urquhart and shire of Inverness, etc. Inverness, 22d June 1551, ... 104

106. Remission by James Earl of Arran, Governor of Scotland, to James Dunbar of Tarvett, Robert Dunbar of Durris, and Alexander Urquhart of Burrisyairdis, for intercommuning with Norman Leslie, on account of which they had been put in ward in the castles of Dumbarton and Edinburgh. Edinburgh, 12th February 1551, ... 105

107. Remission by Mary Queen of Scots, with consent of James Duke of Chatellarault, Protector and Governor of Scotland, to John Grant of Mulben, for treasonable coming in the company of Matthew sometime Earl of Lennox, with banner displayed, against the said Governor, upon Glasgow Moor, in the month of May 1544,..... 106

108. Contract between James Grant of Fruquhie and Janet Grant his daughter, on the one part, and Alexander Sutherland of Duffus, on the other part, for the marriage of the said Alexander and Janet, whereby the said Alexander became bound to give to the said Janet, and to the heirs of the said marriage, whom failing, to the said Alexander's heirs whomsoever, in conjunct-fee, 200 merks worth of land in the barony of Duffus, etc.; and the said James Grant became bound to relieve the said Alexander and his heirs of the single or double avail of his marriage at the hands of Elizabeth, daughter to Sir John Campbell of Calder, assignee thereto, and to pay to the said Alexander 300 merks for the redemption of the lands of Duffus, which were to be settled on Janet Grant. Strathylaye, 26th January 1552, ... 106

PAGE

109. Inventory of the goods belonging to James Grant of Freuchie, made by himself at his place of Ballacastell, together with his last will and testament. The testament directs his body to be buried in the parish church of Duthill, and appoints John Grant, his apparent heir, sole executor and intromittor with his goods and gear. 1st June 1553, ... 108

110. Confirmed Inventory and Testament of James Grant of Freuchie, made by himself at his castle of Freuchie, 22d August 1553, and confirmed by Patrick Bishop of Moray, at Scone, 6th August 1554, ... 110

111. Retour of John Grant of Mulben as heir of James Grant of Freuchie his father, in the lands of Glencharny and Balnadalloch, with their mills and pertinents, in the lordship of Glencharny and shire of Elgin and Forres, which were held in feu-farm of the Crown, and had been in the Queen's hands since the death of James Grant, which occurred on 26th August preceding. Burgh of Elgin, 6th October 1553, ... 112

112. Contract between John Grant of Freuchie, son, heir, and executor of the deceased James Grant of Freuchie, and Christian Barclay, relict of the said James, whereby the said John agrees to give to the said Christian, in payment of her terce, all the oats, beir, sixteen oxen, and the insight goods of Knokendoch, intromitted with by her the year before; and she, on her part, agrees to endeavour to recover the debts due to his father, as stated in his testament, etc. 30th October 1554, ... 113

113. Letters of Bailiery by Robert Bishop of Orkney, usufructuary of the abbey of Kinloss, Walter Abbot of Kinloss, and the convent thereof, appointing John the Grant of Freuchie their principal bailie of Kinloss, with power to make Alexander Cuming of Altyre his bailie-depute. Kinloss, 30th October 1554, ... 114

114. Commission of Justiciary by Mary Queen of Scots, appointing John Grant of Freuchie her justiciar within the bounds and lands of Strathspey (excepting the lands occupied by John Grant of Ballindalloch and his father), the lands of Urquhart and Glenmoriston, and such of the lands of Strathdoun as pertain to the said John. The preamble states that the Commission was granted for the repression of homicides, murders, thefts, sornings, and rapines, which had been committed in these districts. Edinburgh, 8th June 1555, ... 116

115. Commission by Mary Queen of Scots, under the Quarter Seal, narrating that George Earl of Huntly, Sheriff-principal of Inverness, had refused to execute brieves of Chancery obtained by John Grant of Freuchie, to be served heir to his father James Grant of Freuchie, in the lands of Tullochgarne, Thure, Clurene, Tulloch, and half lands of Dalfour, for which reason her Majesty appointed Alexander Sym, Alexander Skene, and others, to act as her Sheriffs of Inverness in that part, and to serve the said brieves in the Tolbooth of Edinburgh. Edinburgh, 4th December 1555,..... 117

116. Bond betwixt John Grant of Freuchie, for himself, and as son and heir of the late James Grant of Freuchie, on the one part, and Alexander Grant, brother of John Grant

PAGE

of Ballindalloch, on the other part, by which they became bound to fulfil the decreet-arbitral to be pronounced by Arthur Forbes of Balfour, William Ogilvy, and others, with Walter Leslie of Kynonowe as oversman, arbitrators anent the action and cause contained in the Royal letters directed to the Sheriff of Inverness, touching the said Alexander Grant's ejection from the lands of Mekill Cardell, Little Cardell, and half town of Piteroy, in the shire of Elgin and Forres, claimed by him in heritage, and the spoliation and withholding from him of the profits thereof by the late James Grant and by John Grant his son and heir. Elgin, 21st August 1556,..... 119

117. Presentation by Mary Queen of Scots in favour of Sir John Donaldson, chaplain to the chaplainry of St. Ninian, with the 40s. land of Petkarell, and a croft belonging to the said chaplainry, together with the croft and relics of St. Drostan, in the parish of Urquhart and diocese of Moray; to which chaplainry Sir John had previously been presented by King James v. on the death of Sir Duncan McOlrig, and had received collation thereon from the Bishop of Moray; but the letters of collation and provision had been violently taken from him by certain evildoers in his neighbourhood. Elgin, 26th August 1556,..... 121

118. Letters of Collation by Patrick Bishop of Moray and perpetual commendator of the abbey of Scone, in favour of the said Sir John Donaldson, to the said chaplainry. The collation was given by the vicar of Kilmalie, by delivering to the said Sir John the horns of the high altar and ornaments thereof, the keys and bell ropes of the said church. 2d September 1556, ... 122

119. Bond of Relief by Y. Makye of Far, by which he binds himself, his heirs, executors, and assignees, to relieve John Grant of Freuchie, his heirs, executors, and assignees, of the sum of 1000 merks, for which the said John Grant became the granter's surety to the Queen. Edinburgh, 25th July 1557, ... 124

120. Contract between John Grant of Freuchie and Alexander Ross of the Holm, for the marriage of David Ross, eldest son and apparent heir of the said Alexander, and Nans [Agnes] Grant, sister to the said John Grant, whereby the said Alexander Ross binds himself to infeft the said Nans and David, and the heirs of their bodies, in the lands of Duldawych, with the mill, croft, and pertinents thereof; whom failing, the said Alexander's heirs whomsoever; and the said John Grant of Freuchie, on his part, agrees to pay to the said Alexander Ross of the Holm 300 merks of tochergood, etc. Freuchie, 24th August 1558, ... 125

121. Precept of *Clare Constat* by Patrick Bishop of Moray, for infefting John Grant of Freuchie, as heir-male of his brother, William Grant of Overfinlarg, in the lands of Overfinlarg, Mukroth or Midfinlarg, and Nethirfinlarg, in the barony of Strathspey, regality of Spynie, and shire of Elgin and Forres, which were held of the bishop in feu-farm. Abbey of Scone, 22d December 1560, ... 126

122. Notarial Instrument, narrating that John Grant of Freuchie, accompanied by a pursuivant, compeared at the castle gate of Drummyn, having charge from Mary Queen of Scots

PAGE

to cause the captains, keepers, and withholders of the said castle deliver the same to John Grant within six hours, and that, on delivering the charge, no answer was returned; whereupon the said John Grant, with his servants, entered the castle by means of ladders, to hold it for the Queen. 3d December 1562, ... 127

123. Act by Lord James Stewart, Earl of Murray, and his Council, anent a complaint by Donald McYnnes Moir against William Fraser of Struie, for stopping of the passage of Loch Ness, the latter alleging, in defence, that the woods, of which he had charge, belonging to Lord Lovat and the Laird of Grant, were cut, peeled, and destroyed by the travellers on the loch. The Act ordains that the passage of Loch Ness shall be free in time coming, and invests the provost and bailies of Inverness with special powers of "serciarie," and of arresting all green timber and bark brought into the town of Inverness for sale, until the bringer produces a certificate from the baron from whom it was bought, etc. Inverness, 17th October 1563, ... 128

124. Acquittance by John Earl of Athole, Lord of Balveny, to John Grant of Freuchie, for the sum of 40s., being the maills and duties of the lands of Clawailge for the Whitsunday term of the year 1564. Balwany, 28th August 1564, ... 129

125. Acquittance by Sir John Wischart of Pettaro, knight, her Majesty's comptroller, to John Grant of Freuchie, for £170 Scots, being the feu-maills of the lands of Urquhart, Glenchairny, and Glenmoreschen, for two terms preceding. Edinburgh, 20th September 1564, ... 129

126. Bond of Relief by Donald Dow McConeill McEwin of Lochtend (Lochiel), captain of Clan Cameron, by which he binds himself to relieve and keep skaithless John Grant of Freuchie, who had become cautioner to the Queen for the granter's compearance before Her Majesty and her Council to answer to such things as should be laid to his charge, upon thirty days' warning, under the penalty of 2000 merks, etc. Edinburgh, 20th November 1564, ... 130

127. Precept by William Leslie of Balquhen, directing his bailies in that part to infeft John Leslie his son and heir, and Isobel Grant his future spouse, in conjunct-fee, and their heirs-male, in his lands of Auchlyne, Talzeauch, Blairdynnie or the Hauch of Bogy, in the shire of Clat, regality of Garioch, and shire of Aberdeen. Ballachastell, 16th February 1564, ... 131

128. Discharge by Queen Mary, relieving John Grant of Freuchie from his obligation to present Donald Dow McEwin of Lochiel, captain of Clan Cameron, before Her Highness and the Lords of the Secret Council, upon thirty days' warning. Dunkeld, 9th June 1565, ... 132

129. Letters by King James the Sixth, under the Signet, issued in consequence of a petition presented by John Grant of Freuchie, setting forth that he had been credibly informed that certain wicked persons of the Clan Rannald and Clan Cameron intended shortly to make incursions upon his lands of Urquhart and Glenmoriston, for which reasons His Majesty charges the neighbouring chiefs, Lauchlan Mackintosh of Dunnachtane, and

PAGE

Kenzeoch M^cKenzie of Kintaill, and all others of the Clanchattan and Clankenzie, to defend the said lands against all such incursions, on pain of being held art and part in them. Edinburgh, 1st March 1567,..... 132

130. Contract between John Grant of Freuchie, for himself and in name of his daughter, Barbara Grant, on the one part, and Robert Munro of Foulis, for himself, and Robert Munro his son and apparent heir, on the other part, for the marriage of the said Robert Munro, younger, and the said Barbara; with various provisions for infefting the said Barbara and heirs of the marriage, etc., in the lands of Fyndon, in the lordship of Ardmanoch and shire of Inverness, etc., while John Grant is to pay 1750 merks of dowry. Forres, 16th November 1568,..... 133

131. Obligation by Patrick Grant of Balnadalloch, to give to John Grant of Freuchie, and to his heirs, superiors of the said lands, a bond of manrent, on receiving a bond of maintenance, as soon as the said Patrick and his heirs, respectively, should be entered to the lands of Balnadalloch, etc. Ballachastell, 23d February 1568, ... 135

132. Letters of Submission by John Grant of Freuchie to James Earl of Murray, Regent of Scotland, acknowledging James the Sixth, King of Scots, as his lawful sovereign; promising that he and the friends of his surname would behave themselves as faithful and obedient subjects to the King, his regent and authority, etc.; and craving pardon for all crimes committed by them from 11th June 1567 to the date of the submission. Aberdeen, 7th June 1569, ... 136

133. Precept by King James the Sixth, ordaining a remission to be made under the Great Seal to John Grant of Freuchie, Patrick Grant of Ballindalloch, Patrick Grant of Dalvey, and James Grant of Kinkirdie, for their treasonable taking of arms and coming to the field with displayed banners, in company with George Earl of Huntly, against the King and his authority, at the Hauch of Mekillour, burghs of Inverness and Aberdeen, and lands of Fetteresso, in August, December, and March previous, etc. Aberdeen, 3d July 1569,..... 137

134. Letters subscribed in the name of King James Sixth by the Lords Commissioners, remitting to John Grant of Freuchie, Patrick Grant of Culcabaik, John Grant in Tullochgorm, and many others of the surname of Grant, their treasonable taking of arms and coming to the fields with displayed banners, in company with George Earl of Huntly, against the King and his authority, at the Hauch of Mekillour, etc., including all transgressions committed from the 11th of June to the date hereof, idolatry, witchcraft, etc., excepted. Aberdeen, 9th July 1569. The composition is gratis, by command of the Regent, ... 137

135. Commission by King James the Sixth, appointing John Grant of Freuchie and Duncan Grant his son, Justiciars for the trial of George M^cYntagart, John Glass M^cLauchlan Roy or Lawrioch, and Donald M^cGillepatrik M^cThomas or Testemen, who, in October and February before, had raised fire and committed oppressions on the lieges in Rothiemurchus and Glencharnich, in the shire of Inverness, and had been appre-

PAGE

hended by the said John Grant of Freuchie and his son. St. Andrews, 16th August 1569, ... 138

To the above Commission is subjoined a notarial instrument on the presentation thereof in the Burgh Court of Elgin by the said Duncan Grant, and the administration to him of the oath *de fideli*, etc., on 2d September 1569.

136. Discharge by William Douglas of Lochleven for the sum of £172, received from John Leslie of the Newtoun, on behalf of the Laird of Grant, which the latter was assigned to have paid when the Queen was in Lochleven. Lochleven, August 1569, ... 140

137. Commission of Justiciary by King James the Sixth, appointing Alexander Dunbar of Cumnok, knight, Sheriff of Elgin and Forres, Robert Dunbar of Durris, and James Dempstar of Auchterless, Sheriff-depute of Banff, justices for trying Alexander M°Allan, Angus Dow Makgregor *alias* Busdow, Duncan M°Conan, John M°Connoquhy M°Vrahatar, for fire-raising, theft, etc. Edinburgh, 10th September 1569, ... 140

138. Contract between Donald M°Callam M°Ewin in Mammoir in Lochaber, on the one part, and John M°Callam M°Ane there, Alexander his brother, Martin M°Conoche Ekmartein there, John Dow M°Ane Ekane there, and John M°Neill Ekane Ekcorilla, on the other part, whereby the latter parties undertake to maintain and assist the said Donald in all his affairs, quarrels, and actions; and the said Donald in like manner agrees to maintain and defend them until they have a lawful chief or tutor who should have the "steir" and government of the country of Lochaber, whom both parties agreed to obey. Daochmolowak in Strathpeffer, 4th April 1570, ... 140

139. Bond by Colin M°Kenzie, son and apparent heir of the deceased Kenneth M°Kenzie of Kintail, to John Grant of Freuchie, to assist and maintain him, his heirs, kin, friends, and heritage against the Clanrannald, and against all mortals except the royal authority and the Lord of Athole. Elgin, 27th July 1570, ... 142

140. Contract between John Grant of Freuchie and Angus M°Alester, son and heir of the deceased Alexander M°Keane of Glengarrie, by which the said Angus, taking the burden upon him for Donald M°Angus M°Alester his son and apparent heir, binds himself to cause the said Donald complete the bond of matrimony, in face of holy kirk, with Helen Grant, daughter of the said John Grant of Freuchie, previous to midsummer next thereafter, and to infeft the said Donald and Helen in conjunct-fee in certain lands in Lochealich [Lochalsh] and Lochearron, with conditions of manrent, etc. Elgin, 17th November 1571, ... 143

141. Ratification by John Grant of Freuchie and Colin M°Kenzie of Kintail, of a contract made at Elgin, together with an "eik" made in Forres before Sir Alexander Dunbar of Cumnock, knight, and others, bearing that in case the said Colin should repudiate Barbara, daughter of the said John Grant of Freuchie, the said John should have ingress and regress to the half lands of Lochbroom, etc.; and the said John and Colin agree to make a mutual band of friendship against Lauchlan M°Intosh of Dunnachtan and all others, except the King and the Earl of Ross on the part of the said Colin,

PAGE

and the [royal] authority and the Earl of Huntly on the part of the said John Grant. Forres, 18th April 1572, ... 149

142. Agreement between John Grant of Freuchie and Colin McKenzie of Kintail, relative to the bygone profits of the half lands of Lochbroine, whereby they covenant that if they should be able to cause Angus McAllester of Glengarrie to accept infeftment of the lands of Achdrome of the said Colin, and to pay for each merk land of the same as the said Colin pays to the said John for each merk land of the lands of Lochbroine, in that case the said John Grant should discharge the said Colin of all bygone profits of the said half lands of Lochbroin, etc. Ballachastell, 26th April 1572, ... 150

143. Bond of Manrent between John Grant of Freuchie and Colin McKenzie of Kintail, for themselves and their heirs, whereby they agree to entertain mutual friendship and amity, and to take part with each other, and to defend their countries, lands, and possessions; and in special, the said Colin to take part with the said John Grant against Lachlan McIntosh of Dunnachtan, if he should invade the said John Grant's lands; and if the said Colin's lands were invaded by Hew Fraser of Lovat, the said John Grant in like manner became bound to assist the said Colin. Ballachastell, 26th April 1572, ... 151

144. Letters of Concurrence by Walter Abbot of Kinloss, superior of the lands of Hauchs, in the parish of Keith and shire of Banff, by which he consents to the comprising of the said lands from Bessie Gordon, relict of the deceased Thomas Baillie of Ardneidlie, to Thomas Meldrum of Aden, for the sum of £788 due by the said Bessie to him, in terms of a decreet of the Sheriff of Banff, and deliverance of the Lords of Session thereon. 19th February 1573, ... 152

145. Letters by King James the Sixth, under the signet, upon a complaint by John Grant of Freuchie, owner of the lands and barony of Urquhart, with the woods and forests thereof, called the Forest of Clunie, in the shire of Inverness, charging the tenants, occupiers, and inhabitants of the barony of Urquhart and neighbourhood, at their parish kirks or the market cross of Inverness, not to cut down, destroy, nor take away the green wood and growing trees of the said woods and forests, nor break down the dykes thereof, etc. Edinburgh, 13th March 1573, ... 153

146. Commission of Justiciary by King James the Sixth, under the signet, to Robert Earl of Buchan, Sheriff of Banff, to try William Baillie in the Hauchis for being art and part in the slaughter of James Birny, and for other crimes. Holyroodhouse, 4th June 1575, ... 154

147. Account of the Moveable Goods pertaining to Duncan Grant, apparent of Freuchie, extracted out of his account book, at Beltane, after his death, which happened in the year 1582, ... 155

148. Precept of Sasine by King James the Sixth, directed to the Sheriff and his Bailies of Inverness, for infefting John Grant, son of Duncan Grant, apparent of Freuchie, in the £4 lands of Corremonie, £4 lands of Morill, £8 lands of the Four Mekleis, 40s.

PAGE

lands of Lochlettir, 40s. lands of Achintomrak, 40s. lands of Dowcathie, and half of the lands of Mekle Cloune, extending in all to a £27 land, lying in the lordship of Urquhart, and all united into the barony of Corriemonie, and held of the King in chief. Edinburgh, 27th February 1582, ... 156

149. Obligation by James Grant of Wester Elachie, Patrick Grant of Balnadallach, and the chief men of the clan, convened at the kirk of Cromdale to consider a letter, dated at Ballachastell, 21st March 1584, addressed to them by John Grant of Freuchie, and delivered by his son and grandson, in answer to which they bound themselves to maintain and defend their chief, his son and grandson, against the incursions of his neighbours, both with their property and persons. Cromdale, 21st March 1584, ... 157

The Laird of Freuchie's letter is subjoined to the above obligation.

150. Agreement between John Grant of Freuchie, oy and heir of the deceased John Grant of Freuchie, with consent of his curators, on the one part, and Lauchlan McIntosh of Dunnachtan, on the other part, whereby, in consideration of the said Lauchlan paying 20,000 merks and ratifying a decreet-arbitral, dated 8th April 1583, decerning the lands and barony of Rothiemurchus to belong to the deceased John Grant of Freuchie, and a decreet by Sir George Ogilvie of Dunlugus, as oversman, decerning the said Lauchlan to desist from troubling the said John in the peaceable possession of the said barony; and further, on Lauchlan's renouncing all right or title he might claim to the same in favour of John Grant, now of Freuchie, and promising to assist him in defence of his lands, and in preserving the lands of Urquhart and Glenmoriston against the Clan Cameron and Clan Ranald, etc., the said John Grant of Freuchie, with consent of his curators, engages to infeft the said Lauchlan in the lands of Farnnaebeg, Fynnarman, and Auchnacroy, the castle of Strome, with the office of constabulary thereof, etc., extending to 22 merks of land, and to defend Lauchlan's lands of Lochaber and others, etc. Inverness, 14th June 1586, ... 158

151. Bond by George Earl of Huntly, Lord Gordon and Badenoch, Lieutenant-general of the North of Scotland, by which he takes into his special retinue, maintenance, and friendship, John Grant of Freuchie, and his kin and friends, engaging to defend and assist them in all their lawful causes, against all persons, except the King and his successors. Elgin, 31st July 1586, ... 165

152. Bond by John Grant, apparent of Carron, to John Grant of Freuchie his chief, by which the former, in consideration of the said John Grant of Freuchie consenting to his peaceably entering to the town and lands of Colquhoch, in the lordship of Stradowin and shire of Banff, binds himself, in case he or his heirs should dispone the said lands without the express consent of the said John Grant his chief, to give to his said chief a nineteen years' tack of the town and lands of Ballatrowane, in the lordship of Stradowin and shire of Banff, for payment of 10 merks yearly; also to serve and honour the said John Grant as his chief, the latter maintaining and assisting him as an honourable chief should do to his kinsman. Ballachastell, 18th November 1587, 165

PAGE

153. Commission of Justiciary to George Earl of Huntly, Lord Gordon and Badenoch, Lauchlan M^cIntoische of Dunnachtane, John Grant of Frequhy, Patrick Gordon of Auchindoun and Thomas Gordon of Cluny, to try Allan M^cConil Dow, Captain of Clan Cameron in Lochaber, John Ewen Makconil M^cEwyn, Allan Makanedewe M^cEwin, and many others, for convoking the lieges contrary to the Acts of Parliament, and especially for committing sorning, depredations, fire-raising, theft, murder, etc., in the months of June, July, August, September and October 1584, and ever since, in Lochaber and Glengarrie, for which they were put to the horn on the 24th November 1584. Commanding the lieges of Inverness, Cromartie, Moray, Nairn, Banff, and Aberdeen to come armed, with provisions for twenty days, to assist in capturing the said malefactors, and prohibiting the Earl of Argyll and Lachlan M^cClane of Dowart from receiving them on their lands. Holyroodhouse, 27th March 1588, 166

154. Contract between John Grant of Freuchie, with consent of his curators, and Christian Grant, relict of the deceased Duncan Grant in Wester Camedall, and Findlay Farquharson of Auchareachan her spouse, by which the latter grant themselves to be orderly removed from the town and lands of Wester Camedall, in the lordship of Stradown and shire of Banff, which were to be thereafter occupied and disponed by the said John Grant of Freuchie and his subtenants; and the said John Grant, on his part, becomes bound to assist them in getting all goods and evidents belonging to the said Christian, whereby she might have right to any lands in wadset, heritage, or terce through the decease of the said Duncan Grant, etc. September 1588, ... 169

155. Bond of Manrent between John Grant of Freuchie and Allan Cameron of Lochiel, by which the former becomes bound to assist the latter against Alister M^cConald of Garrowgauche and the inhabitants of Glencoe in all their lawful affairs; and Locheil, on his part, becomes bound to assist the said John Grant against all men, the King and the Earl of Huntly excepted. Ballachastell, 30th June 1589, ... 170

156. Bond of Friendship between John Grant of Freuchie and Lachlan M^cIntosh of Dunnachtan, and Angus M^cIntosh his son and apparent heir, by which they bind themselves mutually to assist and maintain each other against the invasion of any Earl within Scotland; the said John Grant binding himself, in case of failure, to infeft the said Lachlan in the lands of Balnadarne, Gramynche, and Alwe Lochane, and the said Lachlan binding himself to infeft the said John Grant in the lands of Dolnavert, Kynrarenathelye and Lytill Dunnauchtane, in case of failure on his part. Forres, 12th November 1590, ... 171

157. Decreet by the Lords of Council, exempting John Earl of Athole, James Earl of Murray, Simon Lord Fraser of Lovat, Lachlan M^cIntosh of Dunnachtan, John Grant of Freuchie, and others therein mentioned, from the commission of justiciary or lieutenantry granted to George Earl of Huntly, on the ground of the feud subsisting between them and the latter, and of the wronge done to them by him, etc. Edinburgh, 20th January 1590, ... 176

PAGE

158. Bond by John Grant of Freuchie as principal, and James Earl of Murray as his surety, to keep good rule and quietness in the country, under the penalty of £10,000 to the King, etc. Holyroodhouse, 9th February 1590, ... 179

159. Bond by Sir Patrick Gordon of Auchindoun, Sir Thomas Gordon of Cluny, Sir John Gordon of Pitlurg, and John Gordon of Glenbucket, by which, taking burden upon them for George Earl of Huntly and the rest of their kin of the name of Gordon, they become bound that John Grant of Freuchie and Lachlan M°Intosh of Dunnachtan, with their kin and friends, should be accepted and received into the special favour of the said Earl, and be treated by him as well as they were before the late debates began, etc. Kynmynnatye, 22d October 1591, ... 180

160. Commission by King James the Sixth, appointing Lord Fraser of Lovat, Lauchlan M°Intosh of Dunnachtan, John Grant of Freuchy, Patrick Grant of Rathiemurchus, and John Grant of Glenmoriston, justices and commissioners, with power to search for, apprehend, try, and punish Ronnald M°Ronnald in Garragarth in Lochaber, Ronnald M°Ronnald his brother, John M°Ean Oig in Glenco, and many others who were suspected and guilty of oppression, murder, slaughter, sorning, theft, and other crimes, and had been put to the horn for the same. Halyruidhous, 6th July 1592, 181

161. Bond of Manrent between John Grant of Freuchie and John Dow M°Gregor, brother-german of Alaster M°Gregor of Glenstray, by which the latter agrees to concur with, assist, fortify, and serve the said John Grant, his heirs and successors, and take part with him in his actions and quarrels against all men, except the King and the Earl of Argyll; and the said John Grant, on his part, agrees to maintain and defend the said John MacGregor, and take part with him in all his debates against all men, except the King and the Earl of Huntly, etc. Abernethy, 20th June 1592, ... 183

162. Discharge by King James the Sixth to John Grant of Freuchie, of the penalty and unlaw of five thousand marks incurred by him as one of the cautioners of George Earl of Huntly, for his keeping of good rule and quietness in the country, and obedience to the King after the Brig of Dee. The discharge is granted in satisfaction to John Murray of Tullybardin, comptroller, of 1000 marks due to him, as being "superexpendit" in his last accounts. May 1593, ... 184

163. Order by John Grant of Freuchie to Alexander Hay of Allanbowie, to pay £100 to James Law, messenger, in part payment of his taxation, etc. Ballachastell, 25th May 1594, ... 185

164. Bond by Patrick Grant of Rothiemurchus, Patrick Grant of Balnadalloch, John Grant of Glenmoriston, and several others, for whom John Grant of Freuchie was acted in the Books of Council as cautioner, for their keeping good order, whereby they became bound to him as their chief to observe and keep the King's Majesty's peace, and keep good rule in the country, under various penalties therein specified. Kirk of Cromdale, 17th March 1594, ... 185

PAGE

165. Bond by Sir Thomas Gordon of Cluny, knight, whereby, as surety for Angus and Thomas M'Alester Makinnes, brothers, and others, he bound himself that they should not trouble or molest the Laird of Grant's bounds, tenants, or servants, and that if they did so, he would deliver them up to the Laird, under the penalty of 500 marks. Aberdeen, 3d June 1596, ... 186

166. Letters of Charge by King James the Sixth to the Sheriffs of Aberdeen, Banff, Elgin, Forres, Nairn, Inverness, and Cromarty, and the provosts and bailies of the towns within the said shires, etc., to apprehend Donald M'Angus M'Allaster of Glengarrie, who had been put to the horn for non-compearance before the King and Privy Council, to answer touching order to be taken with the disorderly persons of the clans in the Highlands, etc. Edinburgh, 8th July 1596, ... 187

167. Bond of Manrent between John Grant of Freuchie and Donald M'Angus of Glengarrie, whereby the said Donald agrees to give his bond of service to the said John Grant and his successors, and take part with him against all men, except the King and the said Donald's chief, and even against his chief if he invaded the Laird of Grant, and to help to defend and protect the Laird of Freuchie's lands of Glenmoriston and Urquhart; also to accompany the Laird of Grant in hosting or wars, and to help to stop plundering on his lands of Strathspey, etc., under the penalty of 3000 merks, *toties quoties* after cognition of the failure by Sir John Murray of Tullibardine, etc.; the Laird of Grant, on his part, binding himself to maintain the said Donald in all his lawful actions, and to warrant him against all skaith through keeping the said service; and both parties agreeing to refer their claim to the lands of Kisserin and Strome, etc., to arbiters chosen by them, etc. Mullychart [Mallochard], 28th April 1597,... 189

168. Tack by Dame Marie Ruthven, Countess of Athole, liferentrix and conjunct-fiar of the lordship of Balveny, with consent of John Earl of Athole her spouse, to John Grant of Freuchie, of the town and lands of Clavalge, during the lifetime of the Countess, and the lands of Kynnermonie for five years. Dunkeld, 3d September 1597, ... 192

169. Bond of Friendship by John Earl of Athole, Lord Balvany and Invermey, to John Grant of Freuchie, whereby, in consideration of the latter having renewed all bonds of friendship granted by him or his predecessors to the Earl or his predecessors, his Lordship binds himself to fortify and assist the said John Grant of Freuchie, and take part with him against all persons, except the King. Dunkeld, 3d September 1597, ... 193

170. Acquittance by Alexander Dunbar of Cumnok to John Grant of Freuchie, for £142, in payment of the double of the feu-duty for entry to the lands of Glencarny and Balnadallach. Elgin, 12th September 1599, ... 194

171. Submission by Simon Lord Fraser of Lovat and John Grant of Freuchie, of all actions, quarrels, questions, and debates between them, to the arbitration of Thomas Fraser of Strichen, Patrick Grant of Rothiemurchus, and others, who were to convene at Inver-

PAGE

ness, on the 18th of November thereafter, and to decern therein, etc. Inverness, 13th September 1599, ... 195

172. Contract between John Grant of Freuchie and Donald M^cAngus of Glengarrie, whereby, in consideration of the said John Grant having sold and disponed, by another contract of the same date, to the said Donald, the Castle of Strome, the 13 merk land of Kysryne, in the earldom of Ross, the lands of Achenadariche and Lunde, and various others in the lordships of Lochalsh and Lochcarron, the said Donald agreed to assist and serve the said John and the house of Grant against all men, except the authority; and the said John Grant agreed to maintain the said Donald as a superior ought to do to his vassal. Elgin, 19th April 1600, ... 196

173. Discharge by John Lord Forbes to John Grant of Freuchie, for continuance of the old friendship, amity, and goodwill between their houses, of all spuilzies and wrongs committed in times bygone by servants of the Lairds of Grant and inhabitants of their lands on the tenants of Lord Forbes. Druminnour, 11th June 1601, ... 197

174. Commission of Justiciary by King James the Sixth, appointing John Grant of Freuchie, Patrick Grant of Rothiemurchus, Patrick Grant of Baldarroch, Mr. James Grant of Ardnelie, and Mr. Patrick Grant, minister, justices for trying persons suspected of witchcraft, sorcery, enchantments, and other crimes, on the lands pertaining to John Grant of Freuchie. Perth, 28th June 1602, ... 198

175. Bond of Friendship between John Grant of Freuchie, for himself, his kin and friends, on the one part, and Alexander Dunbar of Westfield, Sheriff of Moray, and other gentlemen of the name of Dunbar, for the preservation of amity and goodwill between the said parties, whereby they agree to take one another's part against all persons, except the King, the Marquis of Huntly, and certain others therein named. Forres, 18th September 1602, ... 199

176. Bond of Manrent between John Grant of Freuchie and Kenneth Mackenzie of Kintail, for themselves and all for whom they were answerable by the laws of Scotland, acts of Parliament, and general band, whereby they became bound to assist and take part with each other against all men, except the King and the authority, and to submit all questions between them to the arbitration of Patrick Grant of Rothiemurchus and other arbiters. Inverness, 1st May 1606, ... 201

177. Mutual Bond of Assistance and Defence between Allan Cameron of Lochzeill, on the one part, and Renalt M^cAllan of Lundie and Allan M^cRenalt VicAllan his son and apparent heir, on the other part, by which the latter bind themselves to assist and take part with the said Allan, by the advice and consent of John Grant of Freuchie, against all men, except the authority and the Lairds of Glengarrie, etc.; and the said Allan, on his part, becomes bound to maintain and assist them against all men, except the Marquis of Huntly and his successors, in the same way as he did to his kin and friends of the Clan Cameron. Ballemakain in Urquhart, 23d July 1606, 203

PAGE

178. Discharge by Donald MakAngus of Glengarrie to John Grant of Freuchie, for the sum of 242 merks, as part payment of a greater sum due to him by the said John. Culnakyill, 14th September 1606, ... 204

179. Bond of Manrent by John Leslie of Kinnonowie, by which he became bound to serve, honour, and assist John Grant of Freuchie against all mortals except the authority. Kinermoney, 6th May 1607, ... 204

180. Submission for a Decreet-Arbitral, to be pronounced by Patrick Grant of Rothiemurchus and Patrick Grant of Balnadalloch, as judges-arbitrators chosen by Patrick Grant of Tullochgorm, taking the burden upon him for John Grant in Auchloney, Duncan Grant his brother, and Robert Grant in Delnabo their brother, on the one part, and Lauchlan Grant of Wester Elchies and William Drumbrek of Urtane, as judges-arbiters chosen by Patrick Grant of Carne, taking the burden upon him for John Reoch Makgowin in Auchleythnye, Alexander, Ferquhar, and John M^cJonreochs, sons to the said John Reoch, on the other part; and in case of variance between them, John Grant of Freuchie to be oddman and oversman, to cognosce and decide anent the alleged wrongs committed by the said John, Duncan, and Robert Grant to the said John Reoch Makgowin and his sons, and by the latter to the foresaid Grants, and especially anent a "pley" that happened between them at the kirk of Strathowin, etc. Kirk of Cromdale, 11th October 1608, ... 205

181. Decreet-Arbitral, pronounced by John Grant of Freuchie, oddman and oversman chosen by Patrick Grant of Tullochgorm for the above-named Grants, and by Patrick Grant of Carne for the said John Reoch Makgowin and his sons, decerning that the said John Reoch and his sons wronged the said John Grant in Auchloney and his brothers, by hurting and drawing blood of the said John, and ordaining them and Patrick Grant of Carne, their cautioner, to pay to the said John Grant in Auchloney, on 10th December next following, the sum of £80 Scots, within the parish kirk of Cromdale, etc., and in return, Patrick Grant of Tullochgorm, and John Grant in Auchloney and his brothers, are decerned to discharge all malice and rancour of heart for the said wrong, etc. Ballachastell, 28th October 1608, ... 207

182. Bond of Manrent by Patrick Grant of Carne, by which he became bound to serve and take part with John Grant of Freuchie, his chief, and his heirs, and to be leal and true kinsman to him, for the kindness shown to him by his said chief, and for a tack of the teindsheaves and vicarage teinds of his lands of Mekill Inuerchebett and Culquoich, during his lifetime; the tack to be null on failure of service. Freuquhye, 8th September 1611, ... 209

183. Contract between Patrick Grant of Balnadalloch and Patrick Grant of Carron, whereby, annulling a previous contract of friendship made between the house of Balnadalloch and house of Carron, dated at Balnadalloch, 24th March 1585, they bind themselves and their kin and friends to live amicably and friendly in time coming, and appoint John Grant of Freuchie judge, during his lifetime, to decide in case of the violation of the present contract by either party; the breaker to pay to the other party

PAGE

£2000 Scots; this contract, however, was not to prejudice a former contract, made at the Boat of Phonas, 4th February 1608, relative to the marches of their lands, etc. Elgin, 8th January 1613, ... 210

184. Commission by David Lord of Scone and James Campbell of Lawers, in the absence from Scotland of Archibald Earl of Argyle, his Majesty's lieutenant against the Clangregor, empowering the Laird of Grant and ten persons to be chosen by him, to intercommune with the Clangregor till the 20th of June next thereafter. Perth, 17th April 1613, ... 213

185. Precept by King James the Sixth, ordaining a letter to be passed under the Privy Seal, in which, for the good service done by John Grant of Freuchie in the public affairs of Scotland, and especially in helping to suppress the clan of MacGregor, and for apprehending Allaster McAllester McGregor, his Majesty remits to the said John Grant, Patrick Grant of Balnadalloch, and to all of the surname of Grant, the whole of the penalties and fines incurred by them for non-appearance before the Lords of Secret Council, or for reset or intercommuning with the Clangregor, etc. 1613,... 214

186. Remission by King James the Sixth, under the Great Seal, to John Roy McGregour, son of Duncan McEane Thomas McGregour, for the apprehension of Alexander McAllester McGregour, and for other crimes preceding the date of the remission. Roystoun, 15th January 1614, ... 215

187. Commission by Alexander Forbes, servitor to the Duke of Lennox, commissioner appointed by his Majesty and Lords of Secret Council to try the resetters, helpers, and suppliers of the vagabond people called Egyptians, appointing John Grant of Freuchie, and Sir John Grant of Mulben his son, his commissioners-depute, empowering them to try, and on conviction to punish, all such resetters and suppliers of the said gipsies within the bounds pertaining to them; the said Alexander engaging to obtain the ratification of John Earl of Mar, Lord High Treasurer of Scotland, to the above commission, etc. Lethin, 26th May 1620, ... 216

188. Heads and Conditions of an Agreement made between John Grant of Freuchie and John Grant of Rothiemurchus, to the effect that as the latter was, by a contract of marriage made between him and the deceased Mr. Thomas Dunbar, Dean of Moray, for himself, and for Margaret Dunbar his daughter, bound to infeft the said Margaret his spouse in the lands and barony of Rothiemurchus, and lands of Over Finlarg, etc., John Grant of Freuchie, as superior, in order to facilitate the fulfilment of that obligation, agreed to enter the said John in the said lands of Rothiemurchus, etc., and to confirm the infeftments made to the said Margaret, with various other conditions therein specified; and the said John Grant of Rothiemurchus, on his part, agrees to pay the said John Grant of Freuchie the sum of 2000 merks Scots, before Whitsunday next thereafter, etc. Lethin, 13th April 1621,..... 218

189. Licence by the Lords of Privy Council to Sir John Grant of Freuchie, William Sutherland of Duffus, Sir Mungo Murray of Drumcairn, Patrick Grant of Balnadallach, and

1628725

PAGE

others, to confer and intercommune with Allan McEanduy of Lochaber, with a view to reduce him to his Majesty's obedience, and to induce him to give satisfaction to the Laird of McIntosh in such matters as he was interested in, until the 1st of May next thereafter, a commission having been granted by his Majesty to Sir John Grant of Freuchie and others for pursuit of the said Allan McEanduy. Edinburgh, 17th December 1622, ... 220

190. Memorandum of the births and ages of children and grand-children of Dame Lilias Murray, Lady Grant of Grant, and of the deaths of the Lairds of McIntosh and Grant. 1622, ... 221

191. Retour of Sir John Grant of Mulben, knight, as heir of his father, John Grant of Freuchie, in the lands and barony of Lethin, comprehending the mains of Lethin and tower thereof, lands of Ar, Lethinbar, Mylnetoune, etc., pasture on the moors and marshes of Braidschaw, salmon-fishing on all the water of Findhorn, in the Dowpuill, Cowpuill, Polgragane, etc., in the shire of Nairn, all united into the barony of Lethin, and held in chief of the King, in fee, heritage, and free barony and forest, and which had been in the hands of Lady Lilias Murray, relict of John Grant of Freuchie, as conjunct-fiar thereof, since the death of the said John, which occurred on 20th September 1622. Tolbooth of the Burgh of Nairn, 19th February 1623,..... 221

192. Obligation by Allan Cameron of Lochiel, that Sir John Grant of Freuchie, his bairns, men, and servants, and all whom he should bring to the meeting between him and the said Allan, should be harmless and skaithless of him, his kin and friends, and should not be invaded or troubled in their bodies, lands, and possessions, by him or his foresaids, till the 18th of July next thereafter. Tarbert in Sunart, 13th June 1623, 223

193. Bond of Manrent by Allan MacRonnald of Lundye, whereby, on the narrative that Sir John Grant of Freuchie, knight, and his predecessors, had been the placers and maintainers of him and his predecessors in their lands and possessions, and that he was desirous that the same defence and maintenance should be continued to him and his successors, he became bound, for himself and his posterity, to Sir John Grant and his heirs, Lairds of Grant, to be leal and true to him, to keep his counsel, and take his part against all men, except the King and the Laird of Glengarrie his chief. Inverness, 29th August 1626, ... 224

194. Certificate by Randal Earl of Antrim, that Alexander Grant, a Scots gentleman, sometime dwelling in Tulloch, in the parish of Kincardine in Strathspey, was at Dunluce in Ireland, on the 25th of October 1630, and that Finlay Mak Crumen, of the parish of Kirkmichael, was there in company with him. 31st October 1630, ... 225

195. Petition by Margaret Sinclair, relict of John Grant of Carron, praying the King to grant letters commanding the Privy Council of Scotland to call the Laird of Ballendalloch before them, on a charge of having murdered her husband, etc. *Circa* 1630,..... 226

196. Commission by King Charles the First, under the signet, to Sir John Grant of Freuchie, to apprehend Alaster Grant in Tulloch, who was at the horn for non-compearance

PAGE

before James Earl of Moray, lieutenant and justice in the north, to underlie the law for the slaughter of Thomas Grant of Dalvey and Lauchlan McIntosh of Roakmore, the said Alaster being still committing oppressions and stouthriefs in the country with other broken men. Sir John, as his master, had undertaken to present the said Alaster by the 1st July next after, but without a commission could not apprehend him out of his own bounds. Halyrudhous, 5th April 1631, ... 226

197. Act of the Lords of Privy Council, declaring that Sir John Grant of Freuchie, knight, by entering Alaster Grant, rebel, prisoner in the Tolbooth of Edinburgh, has satisfied the Act by which he was obliged to that effect, and discharging him thereof. Halyrudhous, 19th July 1631, ... 228

198. Obligation granted by Colonel Harry Bruce, for the compearance of Sir John Grant of Freuchie before the Lords of Privy Council, on 14th June next thereafter, to be examined and confronted with James Grant, prisoner in the Castle of Edinburgh, and Alaster Grant, prisoner in the Tolbooth thereof, under a penalty of 5000 merks; and that the said John Grant should exhibit James Grant or Our, his chamberlain, before the said Lords, under the penalty of 1000 merks. Halyrudhous, 29th March 1632, 228

199. Certificate by Mr. A. Dick, parson of Advie and Cromdale, Mr. A. Watson, parson of Duthill, and Mr. Robert McKenzie, parson of Abernethie, to the Privy Council, testifying and detailing the Laird of Grant's diligence in the service imposed on him of pursuing and apprehending James Grant, Robert Grant his brother, and George Grant his son. Cromdale, 4th January 1636, ... 229

200. Latter Will of Sir John Grant of Freuchie, knight, whereby he, *inter alia*, nominated Dame Marie Ogilvie his spouse and James Grant his eldest son to be his executors. Edinburgh, 31st March 1637, ... 230

201. Commission by George Marquess of Huntly, appointing James Grant of Carron as his substitute, to follow and pursue with fire and sword John Due Garre and his accomplices, and to commit them to ward for trial, for which effect the said Marquess had a commission from the King, with power to appoint a substitute to discharge the duty. Edinburgh, 9th November 1639, ... 231

202. Notarial Instrument, bearing that Dame Marie Ogilvie, liferentrix of the lordship and barony of Urquhart, in presence of the notary and witnesses, declared her willingness that James Grant of Freuchie, heritor of the said lands, should have her full power, by word and not by writing, to further the matter of the covenant within her liferent lands. Urquhart Castle, 8th September 1640, ... 231

203. Notarial Instrument, narrating that, in presence of the notary and witnesses, compeared Patrick Grant of Glenmoriston, on behalf of James Grant of Freuchie, and passed to the personal presence of Dame Marie Ogilvie, and desired her to stent the lands of Urquhart for sending men south, or to assist her son James Grant to do so, or give powers, in writing, to her son, or to her own bailies, to stent her lands; who answered she could not give her son power in writing, as she had already given powers to Major-General Monro to that effect, etc. Urquhart Castle, 9th September 1640, ... 232

PAGE

204. Retour of James Grant of Auchehangen, as heir of William Grant of Auchehangen, his great-grandfather, in the lands of the half davoch of Auchehangen, in the tenandry of Finlarg, regality of Spynie, and shire of Elgin and Forres, which were held of James Grant of Freuchie, as superior, in free blench-farm, for payment of one penny Scots yearly, if asked, and were in the hands of the said James Grant, through the death of the said William. Aisle of the Cathedral Church of Moray, 2d December 1641, 233

205. Obligation by Mary Grant, daughter of the late Sir John Grant of Freuchie, and Dame Marie Ogilvie, Lady Grant, as cautioner for her said daughter, to get the two contracts made between James Grant of Freuchie, son and heir of the late Sir John Grant of Freuchie and the said Mary Grant his sister, with consent of her curators, subscribed by her curators, and to deliver one of them so subscribed to the said James Grant of Freuchie, before the last day of August next thereafter, under a penalty of 2000 merks Scots. Elgin, 13th June 1643, ... 234

206. Bond of Pacification drawn up by James Grant of Freuchie and John Grant of Moynes, commissioners for a pacification between Patrick Grant in Rutherie and Mr. Lachlan Grant, minister at Moy, ordaining the parties under a penalty of 1000 merks each, to find sureties not to harm each other in their persons, lands, nor goods, which they did, and signed the bond. Kirk of Knoknyndo, 6th July 1643, ... 235

207. The Testament and Latter Will of Dame Lilias Murray, relict of the deceased John Grant of Freuchie, made and given up by herself at Ballachastell, 30th December 1643, wherein she directs that her body should be buried in the aisle of the kirk of Duthil, beside her husband, and nominates James Grant of Freuchie, her grandson, to be her executor. 30th December 1643, ... 236

208. Commission by James Earl of Moray, colonel of the Moray regiment of horse and foot, appointing James Grant of Freuchie, his brother-in-law, to be lieutenant-colonel of the same. Freuchie, 1st April 1644, ... 236

209. Obligation by James Marquis of Montrose to the Laird of Grant, and heritors of the name of Grant, that they shall have repayment of their losses occasioned by the marching of the army through their country, provided they continued loyal in his Majesty's service. Garmoch, 3d March 1645, ... 237

210. Obligation by James Marquis of Montrose to James Grant of Freuchie, that what lands he should prove to have belonged to him or his predecessors, and which were then possessed by enemies, should be confirmed to him by his Majesty, under his seal and subscription, at a convenient time afterwards, provided he continued faithful in his Majesty's service. Garmoch, 3d March 1645, ... 237

211. Commission by James Marquis of Montrose to the Laird of Grant, to raise such loyal subjects as were not required at that time by the Marquis himself, and to use fire and sword against enemies and disaffected persons. Glenmuick, 11th April 1645,... 238

212. Bond of Combination, entered into by the Laird of Grant and his friends, Macpherson of Clunie, and the men of Badenoch, Rothiemurchus, Strathaven, and Glenlivat,

PAGE

whereby, in respect of the imminent danger likely to ensue to them from the cruelty of their enemies now joined against his Majesty, they bound themselves to rise in arms, with their followers, for mutual defence, upon advertisement from any of the parties to the combination, etc. Muckrache, 30th March 1645, ... 238

213. Obligation by Duncan Grant in Wester Elchies, to submit to the censure of George Marquis of Huntly and Lord Lewis Gordon his son, and to make such satisfaction as they should ordain, for certain wrongs and oversights in behaviour alleged to have been committed by him to James Grant of Freuchie his chief, under the penalty of 500 merks Scots. Ballachastell, 16th July 1646, ... 240

214. Bond by Donald Moir M°Gilwrae, natural son of Farquhar M°Gilwrae of Dunichuglais, whereby, on the admission that he was one of the actors in removing, under cloud of night, certain horses, cows, and oxen out of the lands and glens of Knockandoch in 1645, he became bound to pay to James Grant of Freuchie, by way of indemnification therefor, the sum of 1000 merks. Ballachastell, 11th September 1646,..... 240

215. Obligation by Alexander MacGregor to enter the service of James Grant of Freuchie, and to remain therein for five years, immediately on leaving Major-General Middleton's trumpeter, to whom the Laird of Grant had paid three or four score pounds for teaching the said Alexander to play on a trumpet, etc. Freuchie, 9th December 1647, ... 241

216. Remonstrance by James Grant of Freuchie to the Estates of Scotland, representing that although the shire of Moray had assessed him and his friends too highly, yet they were willing to pay four score marks for each man, which was more than was paid by other gentlemen of the kingdom, but that Captain Dougal Campbell had refused to accept the same, and praying the Estates to take the case into their consideration. Freuchie, 6th January 1649, ... 242

217. Obligation by Captain Dougal Campbell to remove with his party from the lands of Knockandoch, belonging to the Laird of Grant, on the following day, and to indemnify the tenants for any injury or damage the said lands should have sustained from them, except in taking their maintenance discreetly. Freuchie, 6th January 1649,... 243

218. Bond of Service by James Grant of Auchernick to James Grant of Freuchie, whereby, in consideration of a disposition granted by the latter to him in liferent, and to his son, John Grant, in fee, of the town and lands of Auchernick, with the corn mills of Abernethy, but redeemable by the said James Grant of Freuchie or his heirs, they became bound to render him and his heirs bodily service during their possession of the said lands, in the same manner as the other gentlemen wadsetters in Strathspey. Ballachastle, 26th April 1655, ... 243

219. Permission by General George Monck to James Grant of Grant and his tenants to keep their arms for their defence, on condition of their doing nothing prejudicial to his Highness and the Commonwealth. Edinburgh, 10th February 1657-8,..... 244

PAGE

220. Commission by King Charles the Second to Sir Robert Innes of that Ilk, Patrick Dunbar of Balnathery, Sir Alexander Innes of Coxtoun, and others, to try Isobel Monro and Mary Burges, "vagabonds within the bounds of Strathspey and Murrayland," for witchcraft. Edinburgh, 3d October 1661, ... 244

221. Bond by Donald Dow M'Ewen vic Martin of Ratullichebeg and Angus M'EanRoy vic Conil vic Martin, apparent of Ratullichevoir, to exhibit and present John M'Ean vic Conil vic Martin, Soirl M'Conil vic Ewen vic Martin, and Donald Dow M'Innes vic Glashan, to Lieutenant-Colonel Patrick Grant, tutor of Grant, who had them prisoners in the house of Ballachastell, and had set them at liberty, and to make good whatever loss or detriment the said persons had done, or should do, to the said Lieutenant-Colonel, or to the Laird of Grant, etc. Ballachastell, 19th July 1667,... 245

222. Mutual Bond of Amity by Patrick Grant of Tullochgorm and Patrick Grant of Miltoun, taking burden upon them for the family of Tullochgorm and all persons descended therefrom, on the one part, and Suetony Grant of Gartinbeg, Duncan Grant his son, Donald Grant of Kinveachy, and Alexander Grant of Delrachnie, taking burden upon them for the family of Gartinbeg and all persons descended therefrom, on the other part, whereby they reiterate and renew all old kindly relations between the said families, and agree that they should be united in the bonds of affection and kindness, etc. Duthell, 18th March 1669,..... 247

223. Extract of the Coat-of-Arms assigned by Sir Charles Erskine of Cambo, Lyon King-of-Arms, to Ludovick Grant of Freuchie or of that Ilk. Edinburgh, 15th September 1673, ... 248

224. Remission and Discharge by King James the Seventh, of a fine of £42,500 Scots, imposed upon the Laird of Grant by the Commissioners of the Privy Council and Justiciary, at Elgin, on 11th February 1684-5. Whitehall, 9 January 1685-6, ... 249

225. Statement by Duncan Forbes of Culloden, with reference to a charge made against him in Parliament by the Master of Tarbat and others, of having laid on the shire of Inverness a burden of £6 Scots monthly, which was formerly borne by his lands of Ferrintosh, explaining that though an act was passed, yet the said burden was never imposed, etc. Edinburgh, 4th September 1703, ... 249

226. Contract between Alexander Grant, younger of that Ilk, and Elizabeth Steuart his spouse, whereby, in consideration and satisfaction of a clause in their contract of marriage, providing her, if she survived him, to the household plenishing of their house of Urquhart, the said Alexander assigns and dispones to her all furniture, jewels, etc., pertaining to him, except his arms and the furniture of Castle Grant, etc., and all corn, cattle, etc., belonging to him at his decease; the said Elizabeth, on the other part, renouncing in favour of him and his heirs all right and title to his estate, heritable or moveable, competent to her heirs, in the event of her predeceasing him without issue of her own body. Balnadalloch, 20th October 1707, ... 250

PAGE

227. Order by Brigadier-General Alexander Grant of Grant, Lord Lieutenant of the county of Banff, to Alexander Garden of Troup, elder and younger, and Alexander Abercromby of Glasoch, his deputy lieutenants, to garrison the house of "the Boyne" with 25 well-armed men out of the militia of the shire of Banff. 15th February 1715, ... 251

228. Order prescribed for the march of the Royal army from the camp at Stirling to Dunblane. 12th November 1715, ... 252

229. Agreement by Simon Lord Lovat to engage John Earl of Sutherland to write to Court in favour of William Earl of Seaforth, provided the said Earl would disperse his men and set at liberty the gentlemen of the name of Monro, whom, contrary to law, he had made prisoners: 2d December 1715. Also engagement by William Marquis of Seaforth, to Simon Lord Lovat, commander of his Majesty's forces near Inverness, to disperse his men, set at liberty the gentlemen of the name of Monro, and not to take arms or appear against his Majesty King George till the return of the Earl of Sutherland's express from Court. Brahan, 30th December 1715, ... 253

230. Memorandum of the Births of James Grant, son of Ludovic Grant of Grant, and of Anne Colquhoun, daughter of Sir Humphrey Colquhoun of Luss; also of their marriage, the births of their children, and the death of Anne Colquhoun on 25th June 1724, ... 253

231. Acknowledgment by Donald Cameron of Lochiel of the receipt from James Grant of Grant of certain old charters and writs of the family of Lochiel, which had been intrusted to the safe keeping of the family of Grant. Castle Grant, 13th May 1724, 254

232. Bond between John McDonell of Glengarry and John and Patrick Grant, elder and younger of Glenmoriston, with consent of Alexander Grant of Crasky, younger, and Angus Grant of Deldregon, whereby they become bound to maintain friendship and kindness between the families as of old, and to join together against any unlawful attempts made against either family, the family of Grant being excepted by Glenmoriston; and the said John and Patrick Grant become bound not to harbour nor assist Allan Grant, son to the said John Grant. The bond to be kept under the penalty of £2000 Scots in case of failure. Invergary, 1st November 1735, ... 255

ABSTRACT OF ADDITIONAL CHARTERS.

PAGE

233. Transcript made about 1550, of charters relative to the lands of Inverallan, comprehending—

(1.) An obligation by William of Feddrethe, younger, superior lord of Inverellam, to infeft John le Grant, his heirs and assignees, of his body lawfully begot or to be begot, in the three davochs of land of Inverallan, for services due and wont, in terms of the charter of Augustine of Inverellam and his ancestors, if it can be found; and if not, then according to the form instructed by good and true men of the country: That infeftment to be made as soon as John, son of Gilbert of Inverellam, shall, in the granter's court, resign his right to the said lands. The granter affixed his seal to the original document, and for greater proof procured the seals of Stephen of Donydoir, Archdeacon of Moray, and Walter of Bothwell, Sheriff of Elgin. At Elgin, 18th October 1316, ... 257

(2.) Charter by John of Inverellam, son of Gilbert, brother of Augustine of Inverellam, and heir of the said Augustine by decease of Gilbert, whereby for a sum of money he gives and confirms to John le Grant, his heirs and assignees, the whole three davochs of Inverellam, with their pertinents; John le Grant performing the forensic service due to the King, and also the service used and wont, due to William of Fedderat and his heirs; with clause of warrandice. Witnesses, Sir Patrick of Grahme, knight, Sir John perpetual vicar of Inverness, Andrew le Grant, Alexander Pilche burgess of Inverness, Master Felan rector of the schools there. No date,..... 257

(3.) Charter by the before-named William of Fedreth, son, confirming to John le Grant the preceding charter of alienation by John, son of Gilbert of Inverellam, of the three davochs of Inverellam in the shire of Inverness. Dated at Elgin, 18th October 1316, ... 258

(4.) Letters by Elizabeth le Grant, granddaughter and nearest heir of the late Patrick le Grant, Lord of Straharrigag [Stratherrick: see No. 15, *supra*, where a charter by Patrick le Grant of a portion of Inverallan is printed at length], by which she constitutes John Seres, her nearest heir, grandson descending from her in direct lineage, and confirms him in all lands and possessions whatever belonging to her, reserving her liferent right; declaring that no alienation of the subjects from her grandson shall be made with her consent, and if such has been made by others, the same shall be null. Dated at Inverness, 29th September 1433, ... 259

(5.) Precept under the quarter seal of King James the Third, directed to the Sheriff of Inverness, narrating a decree by the Lords' Auditors in the cause moved by John Seres against Angus Gibbonsoun for unjust spoliation and occupation of John Seres's lands of Gaich and Inverallem, by which decree, of date 11th October 1464, the Lords ordain Gibbonsoun to restore to Seres the rents of these lands despoiled by him; in terms of which decree the King commands the sheriffs to

PAGE

compel restitution, and failing that, to distrain Gibbonsoun's goods; also to defend Seres in possession. Dated at Edinburgh, 12th October [1464], ... 259

(6.) Precept by William Craufurd, Lord of Fedrey, for infefting Patrick Seres (son and heir of John Seres), and giving him sasine of the lands of Inverellam, with their pertinents, lying in the shire of Inverness. Dated at Aberdeen, 16th April 1482, 260

(7.) Notarial instrument, narrating that in presence of George Earl of Huntly, Alexander Lindsay, Master of Craufurd, and Alexander Gordoun, Master of Huntly, etc., Patrick Seres, son and heir of the late John Seres, resigned his whole lands of Inverellam, in the shire of Inverness, into the hands of William Crafurd of Feddra, overlord of these lands; and because Patrick Seres had sold the lands to John Grant, son and apparent heir of Duncan Grant of Fruquhy, knight, he required the said overlord to infeft John Grant in the said lands; which the said William Crafurd did by delivery to John Grant of staff and baton. Done at Geycht of the forest of Enzie, in the hall of the same, 9th May 1482, ... 261

(8.) Precept by William Craufurd of Feddra, for infefting John Grant, son and apparent heir of Duncan Grant of Fruquhy, knight, and giving him sasine of the whole lands of Inverellam resigned by Patrick Seres, and that upon the ground and messuage of the same. Dated at Geycht, in the forest of Enzie, 9th May 1482, ... 262

(9.) Precept by William Crafurd of Feddrath in favour of John Grant, son and heir-apparent of John Grant, for giving him sasine of the whole lands of Inverellam, resigned by Patrick Seres, son and heir of John Seres. Dated at Feddra, 8th June 1483, ... 263

(10.) Decree by the Lords of Council acquitting John Grant of Fruquhye from the petition and claim of the King as to the uptaking of the rents of the half of the lands of Gaych, the half of the lands of Glenbeg, the half of the lands of Dregy, in the sheriffdom of Inverness, alleged to belong to the King through the non-entry of the heir of the late Alexander Hay of Mayne; because John Grant showed charter and sasine of the lands: John and Robert Douglas, who had a gift of the non-entries, being present. Dated at Edinburgh, 21st August 1511,[1] 263

(11.) Notarial instrument narrating a precept of *clare constat* by George Crafurd of Fedrey, overlord of the lands of Inverallem, namely, Dragy, Glenbeg, Gawich, and Cragan, directed to Patrick Grant in Tullochgorm, and others, for infefting James Grant of Frequhy as lawful and nearest heir of his father, the late John Grant (of Freuchie) in the said lands; which precept, dated at Miltown of Keyth, 19th October 1529, the said James Grant delivered to the said Patrick Grant as bailie, who thereupon gave sasine to the said James in terms of the precept. Done on the soil of the said lands, 25th October 1529, Thomas Narne of Cromdall and others being witnesses, ... 264

[1] A note prefixed to this writ states that the King (James the Fourth) had made a gift of the ward of the lands of Gaich, Glenbeg, and Dregy, being half of the lands of Inverallan, to one Robert Douglas, and that the latter had pursued John Grant for the rents as pertaining to him and the King, by reason of ward through the decease of Alexander Hay of Mayne, for whose title see No. 41, *supra*.

PAGE

234. Gift by King James the Fourth, under his Privy Seal, in favour of John Grant of Frewchy and his assignees, giving to them the ward of the lands of the two Auchnarrowis, Dovnane, and the Port, extending to fifteen merks worth of land lying in the sheriffdom of Inverness, which pertained to the late Patrick Reoch of Auchnarrowis, and now, through his decease, in the King's hands by reason of ward; also the marriage of Reoch, son and heir of the late Patrick Reoch, and failing him by death, unmarried, the marriage of any other heirs of the late Patrick succeeding to him in his heritage. To be held until the lawful entry of the righteous heir to the said lands. Given at Edinburgh, 2d December 1508, ... 266

235. Notarial Instrument narrating that in presence of the notary, etc., James Grant of Fruchty required James Earl of Murray to relieve, defend, and keep skaithless the said James Grant, as to the feu-farms of the lands of Glencarny, for the terms of seventeen years last past; which feu-farms the Earl had received, as shown by his acquittances, and for which feu-farms the said James Grant was summoned at the King's instance; also that the Earl should relieve the fee of the heritage of said lands of Glencarny to James Grant at the hands of the King, with all expenses to follow; failing which, James Grant solemnly made protest for remedy of law, time and place fitting. Done in the garden of the Earl's place in the Cowgate, within the burgh of Edinburgh, 28th March 1530, ... 266

236. Obligation by James Earl of Murray, by which he obliges himself to James Grant of Freuchquhy, that he will labour with all possible power and diligence at the King's hand to make James Grant enjoy the lands of Glenquharny with the pertinents, to be holden of the King according to the infeftment made by the late King that last deceased, to John Grant, the said James Grant's father; and that he shall solicit the King to give James Grant all right, title, interest, and claim that the King has or may have to the lands of Glenquharne by reason of non-payment of the feu-maills, or otherwise, and to renounce the same in favour of the said James Grant. The Earl further obliges himself that he shall never have, nor pursue interest or title in any way to Glenquharne, or any part thereof, excepting the feu penny maill contained in James Grant's infeftment, if he may procure from the King the said feu-maill of Glenquharne and Balnadallacht; and moreover, he renounces all right he has or may have in the said lands, excepting as said is; and obliges himself to get from the King and his treasurer a discharge of the byrun rents of the foresaid lands intromitted with by the Earl since the field of Flodden, of all terms and years since Flodden, and to warrant and relieve James Grant of the same, with all his goods and possessions, etc. Elgin, 21st June 1530. Witnesses, James Bishop of Ross, John Campbell of Calder, knight, John Mackenzie of Kintail, Patrick Grant in Balnadallacht, and others, 267

237. Notarial Instrument narrating that in presence of the subscribing notary and witnesses, Mr. Andrew Grant personally passed to the presence of the parishioners of Dwthell, and besought from them his election to the office of clerk of the Church of Dwthell, then vacant in their hands, through the decease of William Grant, last possessor of

PAGE

the office; and the parishioners of their own free will chose and nominated Mr. Andrew Grant to be parish clerk of the said church: After whose election and nomination Mr. Andrew Grant, during high mass, at the time of first lesson, passed to the step of the altar, and said with a loud voice in the vernacular—You parishioners who have consented to my election, rise to your feet; and as many as were in the church rose up, and all with one voice cried out, We have chosen you, Master Andrew Grant, to be our parish clerk, and to the office of clerk of the said parish church of Dwthell, and no other person, unless we shall be compelled to the contrary by James, Laird of Grant, etc.; any other or compulsory election to be void. Done in the parish church of Duthell on 13th January 1537, ... 268

238. Precept by Alexander Dunbar, Dean of Moray, etc., addressed to the curate of the church of Duthill, narrating that the granter, because the office of clerk of Duthill was vacant by the death of William Grant, at the election of the parishioners, had collated Mr. Andrew Grant an able and fit clerk, and admitted him to the said office, and confirmed the said election; wherefore the curate is commanded to induct Andrew Grant into possession of the said office, admonishing the parishioners to pay promptly the profits of the office to Mr. Andrew Grant as their parish clerk, and to no other, under pain of the greater excommunication. Given at Elgin, 2d February 1537. Indorsed on the precept is a notarial instrument stating that on the 11th February 1537, Sir William Wallace, curate of Duthell, in terms of the within mandate delivered to Mr. Andrew Grant a vessel and sprinkler (*amphoram et aspersorium*) with holy water (*aqua benedicta*), inducting him in actual possession of the office of clerkship of Duthill, and he also admonished the parishioners in terms of the foregoing mandate, ... 270

239. Letter of Reversion by John M'Conquhy in Gartthrynbeg, in which he obliges himself that, notwithstanding Allan M'Ean M'Allister of Rathamurchus sold and alienated to the granter all and whole one-half of his lands of Tullochchrow, with pertinents, lying within the barony of Rathamurchus and sheriffdom of Elgin, yet as soon as the said Allan, his heirs or assignees, shall pay to the granter, his heirs and assignees, in the parish kirk of Douthall, the sum of 100 merks Scots, then the said John M'Conquhy shall renounce and resign the said lands of Tullochchrow, with all title and property therein, and all charters thereof, in favour of the said Allan, his heirs or assignees; and if John M'Conquhy, or his heirs, etc., shall, after being warned, absent themselves from the said payment, it shall be lawful for Allan to place the money in the hands of the Prior of Kingusy for the time, for the use of the granter, etc., with a letter of lease and bailiery of the said lands for three years following the redemption of the same, at a yearly rent of six merks Scots; which done, the said Allan shall have free ingress to the said lands of Tullochchrow, with their pertinents, etc. Dated, signed, and sealed at Tullochchro, 19th July 1537, before John Grant in Tulloch, and others. On the back of the letter of reversion is inscribed a discharge by Duncan Grant in Gartinbeg, son and heir to the late John Makconachie Grant in Gartinbeg, acknow-

PAGE

ledging himself to have received from John Grant of Fruquhy, superior of the lands of Rathamurchus, the sum of 100 merks Scots, with a sufficient letter of lease and bailiery of the half lands of Tullochchrow, for the term of three years following Whitsunday last, 1581, at £4 yearly rent, and that in full satisfaction of the foregoing reversion: Duncan Grant therefore acknowledges the said lands to be lawfully redeemed, and renounces and resigns the same and all property therein. Dated and subscribed at Ballachastell, 19th May 1581, ... 271

240. Contract or Feu-Disposition entered into between Patrick Bishop of Moray, Commendator of Scone, on one part, and James Grant of Fruquhy, on the other part, to the effect that the Bishop is bound, with consent of the chapter of Moray, failing which, by commission from Rome, to infeft James Grant, his heirs-male, and seven other Grants and their heirs-male, by charter and sasine, in feu-farm heritably, in the lands of Lagane, Ardyneche, Kyncardy, Connocawill, Ester Elche and Westir Elche, Aloquhy, Arthirdule, Adwoky, Corane, Daltuly Estir and Westir, Auchannochy, Dalwey with mill, Adwey, Rurory, Calater, Tulichane, Auchnahandocht, Nedir Fynlarge, Medill Finlarge, and Ower Finlarge, and others, as particularly described, with the fishing of Spey, within the bounds of the foresaid lands, the said James Grant and the others paying therefor to the Bishop and his successors a yearly rent of £93, 10s. Scots, with an augmentation of £31, 3s. 4d., being the third penny more than ever was paid before, amounting in all to £124, 13s. 4d. Scots, at two terms in the year; and also paying yearly for the mill of Dalwey 24 bolls victual, 16 custom marts, and 2 chalders 11 bolls of custom oats, conform to the Bishop's rental: Doubling the said feu at the entry of heirs to the said lands; with service in hosting, "ariage and cariage as efferis," the said James only being remitted from this service as being a baron holding of the King, but finding sufficient men corresponding to his part of the said lands; with presence and suit in the Bishop's three head courts, and justice courts: Providing that the lands be parted so that 40 merks of the same remain with James Grant, the rest of the lands to be divided equally among the other seven persons, none of the seven having heritably more than 24 merks worth of land only; the said James and the others, each for his own part, to build halls, chambers, etc., and plant trees, etc., upon the said lands, conform to their feus: For which infeftment by the Bishop to the said James and other seven Grants, James Grant binds himself to pay 4000 merks Scots, as follows: 1000 merks at next Easter, or eight days thereafter, 500 merks at the following Whitsunday, 500 merks at the following Martinmas, 1000 pounds at Whitsunday 1541, and 500 merks at the next Martinmas, in complete payment of the whole sum. And in case the Bishop cannot obtain the consent of his chapter, nor commission from Rome before Michaelmas next, then he binds himself to lease to James Grant, his heirs and assignees, all the foresaid lands for five years following the issue of the last lease of the same to the said James, he, his heirs or assignees, paying yearly a rent conform to the bishop's rental, for which lease James Grant shall pay the sum of 400 merks Scots; and if the Bishop does not infeft the said James and others in the lands before Michaelmas, he shall

PAGE

deliver to James Grant a letter of lease for five years in due form, and an obligation to pay the sum of 1100 merks, out of £1000 which James Grant must deliver to him at Easter and Whitsunday next, the 400 merks remaining of the £1000 to be allowed for the gratitudes of the five years' lease to James Grant; and if the Bishop obtains consent or commission and infefts the said James, then the latter shall pay the foresaid sum of 4000 merks. Executed in duplicate at Edinburgh, on 24th February 1539. On the back of the document is inscribed an additional clause, that if the Bishop offer a sure infeftment to the said James Grant and other seven, and James Grant refuse the same, then the latter shall pay the sum of 4000 merks, with all interest the Bishop may recover upon him for not fulfilling the contract; and if the Bishop offer not the said infeftments before Michaelmas next, then James Grant and his heirs shall be free of such payment. It is further specially provided that the seven persons to be infeft shall be selected by James Grant, ... 272

On the back of one of the duplicates of the contract are written the following instruments:—

(1.) A notarial instrument, narrating that on the last Sunday of February 1539, within the house in Edinburgh of the most Reverend the Lord Cardinal, Patrick Bishop of Moray, of his own will and in consideration of the King, was content to renounce the foregoing contract, and to consent to its dissolution on his part, provided that James Grant would on his side likewise consent to a dissolution, and not otherwise. Witnesses, the Cardinal [Beaton], the Bishop of Brechin, Sir Alexander Abbot of Cambuskynnet, and others, ... 276

(2.) A notarial instrument, narrating that on 4th March 1539, David Woid of Craig, the King's comptroller, and James Lermonth of Bawcomy, were admonished on their own confession under pain of excommunication, jointly and separately, renouncing the benefit of division and all privileges granted or to be granted to them, to relieve and keep skaithless the Bishop of Moray at the hands of James Grant, as to the contents of the foregoing contract; also to cause diligence to be done at the King's hand for compelling James Grant to renounce the said contract,..... 277

241. Notarial Instrument narrating that in presence of the notary subscribing, and witnesses, James Leirmonth of Darsy, the King's Master of Household, and David Wod of Crag, the King's comptroller, passed in name of the King (King James the Fifth), to the presence of Patrick Bishop of Moray, and perpetual commendator of Scone, and spoke and announced to him that the King required of him, that notwithstanding the contract made with James Grant of Fruchquhy [as in No. 240, *supra*], to let the lands and barony of Strathspey in feu-farm, he should let in feu to John Grant of Ballindalloch the lands of Adwie, Tullichane, Callader, Ruror, and Aduoky, and to Patrick Grant, John's brother, the lands of Dalvey and mill of the same, with the thirled multures, etc., which lands are a part of the barony of Strathspey. The Bishop in answer begged them to show to His Majesty that he was obliged and admonished to let the whole lands of Strathspey to James Grant, and exhibited the contract signed and sealed; to which the said James Leirmonth and David Wod declared that it was

PAGE

the King's will that the Bishop should feu the said lands to John and Patrick Grant, and advised him to do this for such causes as they "wald nocht shaw at that tyme," notwithstanding the contract: The Bishop replied that he would subscribe the charter at the King's command, protesting that though he did so, and also consented to the said feus, yet he incurred not the penalties contained in the contract, and also that he renounced not the contract unless James Grant consented, etc.; and after the departure of Leirmonth and Wod, the Bishop explained in presence of the notary that he subscribed the charters of feu to John Grant of Ballindalloch under dread of the King's displeasure against himself, the Earl of Bothwell, and others of his surname, and he protested for remedy at law, etc. Done in the lodging of the late Robert Lesly, at Edinburgh, 5th March 1539, ... 277

242. Discharge by Patrick Bishop of Moray, etc., in favour of James Grant of Fruychy and John Grant of Culcabok, his brother, acknowledging payment of 260 merks Scots, the balance of the sum of 2800 merks, which James Grant, John Grant his son and apparent heir, and John Grant of Culcabok, with Robert Innes of Innermarky, were acted in the Commissary Books of Moray to pay to the Bishop, as the act, dated at Elgin, 8th May 1641, narrates, for grassum, and for the letting to them of the Bishop's lands and barony of Strathspey, as follows:—Lagan, Ardinche, Auchnahandat, Connakyle, Auchnahangane, Wester Daltuly, Ester Daltuly, croft of Cardells, Artildaly, Alloquhy, with the fishings on Spey, and the fishings of Dalwey, Adwey, Calatare, Tullychtane, and Adwoky, to James Grant, his heirs and assignees; Ester Eloquhy, with fishings on the Spey, to Duncan Grant, son to the said James Grant; Owerfinlarg, Mukrath, Midfinlarg, Nedderfinlarg, to William Grant, son to James Grant; Wester Elchze, with mill, fishings on Spey, Portaris Croft, with the ferry coble, Kynkirdy with fishings, to John Grant of Culcabok, his heirs and assignees; the lands of Carranne to the same John Grant of Culcabok: Of which sum of 2800 merks, the Bishop exoners and discharges the said James Grant, John Grant his son and apparent heir, John Grant of Culcabok, and Robert Innes. With clause of registration. Subscribed by the Bishop at Spynie, 7th May 1544, ... 279

243. Notarial Instrument narrating that in presence of the notaries, Patrick Bishop of Moray, etc., openly declared that notwithstanding that John Grant of Balnadalauch, and Patrick Grant of Dalwey, his brother-german, have submitted themselves to the Bishop in all actions moved betwixt him and them, especially as to the quashing of the charters made by the Bishop under compulsion of the late King, to John Grant, of the lands of Adwey, Tullichane, Calatar, Aduoky, and Rurorye, and to Patrick Grant, of the lands of Dalwey, with mill, etc., and because the Bishop had received no profits from the lands, both on account of the alleged destruction of two mills of Little Inverlochtie, and other causes; yet the Bishop declared he did not wish John and Patrick Grant to lose their possessions or lives, as set forth in the Queen's letters of citation, and he therefore freely ratified and confirmed their infeftments in the said church lands. Done in the Chapter-house of the Church of Moray, 20th May 1546, 280

PAGE

244. Protest by John Grant of Freuquhie, in presence of the Sheriff-depute of Inverness-shire, declaring that as the taxed roll of the shire had been made up without his being on the inquest, if the same as regarded his lands was not conform to the old valuation, that fact should not be prejudicial to him, etc. At Inverness, 23d March 1554, ... 282

245. Advice by William Lord Forbes and others, given at the desire of the Laird of Grant, as to the slaughter of John Grant of Ballindalloch by John Roy Grant. The advisers propose that there should be—(1.) an honourable amends; (2.) an amends made by John Roy Grant in gear; (3.) marriages betwixt the parties; (4.) security given for future good behaviour; (5.) banishment of guilty persons out of the Laird's territories; and (6.) the advisers utterly refuse amends by bloodshed, as desired by the Laird of Ballindalloch. 14th March 1559, ... 283

246. Gift by George Earl of Huntly, Lord Gordon and Badenoch, lieutenant for the Queen in the north of Scotland, bestowing on John Grant of Frewchquhye the abbey and dwelling-place of Kinloss, and pertinents, with the whole escheat goods within the bounds of the abbey and barony of Kinloss, so far as they belong to Walter Abbot of Kinloss, within the sheriffdom of Moray, by reason of escheat for not answering to a summons for a murder committed by the Abbot; with power to John Grant to intromit with the said abbey at his will, paying to the Earl £200 Scots, as thirds for Martinmas 1568, and so on termly during the time of the Earl's commission, for all other duty. Signed at Aberdeen, 28th February 1568, ... 284

247. Memorandum made by Lachlane Makintosche of Dunachtin to be communicated to the Laird of Grant, assuring the latter of the writer's desire to entertain such friendship as existed between their ancestors; of his willingness, as his sister is married to the young Laird of Grant, to provide for her "as becumis M^cIntosche to do," and also to concur with the Laird in all lawful actions; for which causes the writer desires that the Laird would let him have Rothymurchus for such sum as the Laird gave for the same, it being Mackintosh's "maist natywe cunthretht," which arrangement will, he asserts, tend to the weal of both parties. Signed 20th February 1568, ... 285

248. Exoneration by John Meldrum, portioner of the Ord, in favour of John Graunt of Frwquhe and Duncan Graunt his son and apparent heir, renouncing all pursuit of them for certain "spoilzies" of horses and cattle alleged against them, from the complainer's lands of Ardnely and Cowsaaltye, regarding which he now acknowledges himself to have been misinformed. Subscribed at Banff, 28th August 1579,..... 286

249. Testament-Testamentar and Inventory of the goods, gear, sums of money, and debts pertaining to the late Johne Grant of Fruquhy, in the parish of Cromdale and sheriffdom of Inverness, at the time of his death, which took place at Ballachastell on 2d June 1585, given up by his lawful son Patrick Grant of Rothymurchus, whom, in his latter will, he nominated his only executor. Inventory and latter will (dated 24th November 1584), duly confirmed by the commissary of Edinburgh on 15th

PAGE

March 1586, and recorded of that date in volume xvii. of the Record of Testaments in the Commissariot of Edinburgh, ... 286

250. Letters under the Privy Seal of King James the Sixth, directed to the commissioner over the kirks within the bounds of the diocese of Moray, in favour of Neill Grant, presenting him to the parsonage and vicarage of Abdy (Advie) and Cromdaill, with manse, etc., vacant by the decease of Mr. Thomas Austeane; requiring the commissioner to examine the presentee's qualifications, and admit him, if sufficient, and, if otherwise, to report, etc. Dated at Holyroodhouse, 6th July 1588, ... 293

251. Contract between John Grant of Freuchie on the one part, and Patrick Grant of Tulloch on the other part, in which the former acknowledges receipt from the latter of £1000 Scots, for which John Grant binds himself to infeft Patrick Grant, his heirs and assignees, in the town and lands of Wester Tulloch, with mill and pertinents, lying in the lordship of Badenoch and sheriffdom of Inverness, and in security of the same, John Grant binds himself to infeft Patrick in the davoch of Tullocherubin, in the lordship of Glencarneych and sheriffdom of Elgin, and that in special warrandice: Patrick Grant on his part being bound to subscribe a letter of reversion for redemption of the said lands of Wester Tulloch in the usual form; providing if it shall happen that the lands are redeemed by John Grant in his own lifetime, then Patrick Grant shall pay yearly for five years the mailis used and wont, and shall then renounce and overgive the said land, John Grant to have full regress and ingress as before the alienation, etc. With clause of registration. Subscribed at Ballachastell, 3d November 1593, ... 293

252. Lease by Lady Marie Ruthuen, Countess of Athole, cessioner and assignee to the ward lands of the earldom of Murray, with consent of her husband, John Earl of Athole, in favour of John Grant of Fruquhy, letting to him and his heirs and sub-tenants, the towns and lands of Abernethie, with the quarter of land called Moirclune, all lying in the sheriffdom of Elgin and Forres, for the term of five years from Whitsunday 1598, at a yearly rental of £40 Scots. With clause of warrandice, etc. Subscribed at Dunkeld, 3d September 1597, ... 296

253. Acknowledgment by Kenneth Mackenzie of Kintail, that in terms of a contract of same date relating to the lands of Kisryne, etc., he had received from John Grant of Frewquhye the charter of comprising of lands in Kisryne, Lochailche, and Locharron, made by Queen Mary on 4th May 1548, in favour of the late James Grant of Frewquhye, great-grandfather of the said John Grant, with a procuratory of resignation of the lands by the said John to the said Kenneth; for which reason Kenneth Mackenzie discharges John Grant, his heirs, executors, and assignees, of the same. Subscribed at Inverness, 1st May 1606, ... 297

254. Bond of Relief by Allan Cameron of Lochzeild, by which he binds himself, his heirs and successors, to exoner and relieve Symon Lord Fraser of Lovat, sheriff of Inverness, of the sum of £710 Scots, contained in the Chancery precept passed as to the lands

PAGE

of Knodeort, with all duties of sheriff fee, etc., and to warrant his Lordship at all hands in time coming. With clause of registration. Subscribed at the "Iyle of Lochzeild," 8th September 1607, ... 298

255. Letter under the signet of King James the Sixth, addressed to messengers, narrating a charter granted by the King to John Grant of Frewquhye and his heirs-male, etc., of the lands of Lethintie, Over Auchrosk, Mid Auchrosk, Garling, Nethir Auchrosk, Kirktown of Cromedaill, Delliechappill, and Ewinoballich; also the lands of Inverellam, Glenbeg, Gaeycht, Cragan, Dregie, with mills and fishings, the two Auchnarrowis, Dovnan and Port, and all their pertinents, lying in the sheriffdom of Inverness; and that the King has erected and created the said town of Cromdaill into a free burgh of barony, with all rights and privileges belonging thereto, and that it is necessary to publish the same; the King therefore commands that due publication may be made at market-crosses and parish kirks, etc. Dated at Edinburgh, 25th July 1609, ... 298

256. Excerpt from old rental of the Grant estates, including the rental of the barony of Inverallem made in 1611; the barony of Frewquhye and Cromdell; and the crofts of Ballachastell, ... 300

257. Extract Discharge by Archibald Prymrois, writer, acting as joint commissioner with Archibald Campbell of Glencarradil, under an act of Privy Council, of date 22d July 1613, made with advice of Archibald Earl of Argyll, his Majesty's lieutenant against the Clan Gregor, and Sir Gideon Murray of Elibank, treasurer-depute, by which act the commissioners are empowered to uplift fines, and grant acquittances, and having also a commission from the said Archibald Campbell to do all things for him in the premises concerning receipts and acquittances; and whereas by decreet-arbitral on 3d February 1615, given betwixt the Earl of Argyll on one part, and John Grant of Frewchie on the other part, the latter was decerned to pay 16,000 merks of fine for the reset and supply given by him, his friends and tenants (who are named at length), to the Clan Gregor; the said Archibald Prymrois acknowledges receipt of that whole sum, and discharges John Grant of the same. With clause of registration. Dated at Edinburgh, 25th February 1615, ... 314

258. Bond by Sir Lauchlane Mackintoshie of Torcastel, knight, acknowledging him to have borrowed from Agnes M°Kenzie, "ladie elder of Dunnachtane," the sum of £240 Scots, which sum Sir Lachlane, as principal, and John Grant of Frewchie, his cautioner, bind themselves to pay to the said Agnes M°Kenzie within the burgh of Inverness, between the date hereof and Whitsunday 1618, with an additional sum of £60 in case of failure. Clause of warrandice by Sir Lauchlan to John Grant, and clause of registration. Dated at Inverness, 18th April 1618, ... 317

259. Lease by John Grant of Freuquhye, with consent of his son and apparent heir, Sir John Grant of Mulben, knight, in favour of Alexander M°William Moir in Corthullie, letting to him and to his heirs and executors of no higher degree than himself, the

PAGE

half town and lands of Corthullie, extending to three oxgang land of the davoch of Letoch, and pertinents, lying in the lordship of Abernethy, parish thereof, and sheriffdom of Elgin and Forres, with the teinds, for the space of nineteen years following Whitsunday next, 1620: To be held of the granter and his heirs and successors in lease, under the conditions specified, the tenant and his heirs, etc., paying twenty five merks Scots of land maill at the term of Martinmas yearly, 6 pecks multure victual, 3 firlots custom malt yearly between Candlemas and Easter, three-quarters of a wedder, a kid, three "pultries," a goose, half a stone of butter at the usual terms, with the shearing and leading of "seven thraweis and ane stouk" of corn in the Mains of Abernethy, the tilling of 6 pecks oats sowing there, the harrowing of 6 pecks oats sowing in the "tath fauldis" of the said Mains, with fuel to dry 5 bolls oats there; also for the teindsheaves, the sum of 16s. 8d., and for the teind vicarage, the sum of 33s. 4d. Scots at the usual terms: with various other services, as enumerated in the lease. Subscribed at Freuquhye, 29th February 1620, ... 318

260. Warrant by George Marquis of Huntly and George Lord Gordoun, consenting that Sir Lachlane M^cKintoische of Torrecastell, knight, shall wadset the towns and lands of Essiche, Drumdellchik, Cognaskaliche, Kincrage, Lytill Dunnachtane, the third part of Pittevre, and Meikill Dunnachtane until Whitsunday 1623, without any action of recognition; providing that if Sir Lachlane do not redeem the said lands at that term, the Marquis and Lord Gordoun shall have liberty to pursue. Subscribed at Huntly, 13th June 1620. Indorsed on this writ are two prolongations of the term assigned, for the space of three years each,..... 321

261. Accounts by Gregor Grant of expenditure on behalf of Sir John Grant of Mulben, younger of Freuchie, in two journeys from Strathspey to Edinburgh, and residence in Edinburgh, in February and July 1620, ... 322

262. Commission by King James the Sixth, empowering Colin Lord Kintaill, Sir Lachlane M^cIntoshe of Dunauchtane, Sir Rorie M^cCleud of Hereiss, John Grant of Freuquhie, Sir John Campbell of Caldell, —— Campbell of Auchinbreck, Sir Coline Campbell of Ardkinglas, John M^cDonald M^cAllane V^cEane of Ilantyrum, Captain of the Clan Rannald, Sir Donald Gorm of Slaitt, Sir John Grant apparent of Frewquhie, and others named, to act as justices and commissioners against Allan Cameron of Lochyell, to pursue him with fire and sword, and to apprehend him, that he may be brought before the Lords of Privy Council. Edinburgh, 18th June 1622,..... 334

263. Latter Will and Testament of Annas Grant, Lady Mackintosh, 9th October 1624,..... 337

264. Letter by King Charles the First to the Privy Council of Scotland, approving the course taken by them with the Laird of Grant in making him produce Alaster Grant, a rebel, and desiring that a similar policy should be adopted towards the Marquis of Huntlie. Oatlands, 31st July 1631, ... 337

[The Originals of Letters 264, 265, 266, and 267, are in the General Register House, Edinburgh.]

PAGE

265. Letter, The Same to The Same, in reference to the trial of Alaster Grant, that it should be postponed till the 10th of April next. Whythall, 10th November 1631, ... 338

266. The Same to The Same, containing instructions for a further postponement. 28th March 1632, ... 338

267. The Same to The Same, with instructions for taking security from John Grant of Glenmoriston to attend his trial, which he desires to undergo. Whitehall, 21st April 1632, ... 339

268. Commission by King Charles the First, empowering Sir John Grant of Frewchie and his bailies to search for and pursue with hue and cry, thieves, sorners, and "maisterlesse persons," and other broken men of the Highlands, and apprehend them with a view to trial. Edinburgh, 17th February 1635, ... 339

269. Certificate by Mr. John Chalmer, minister of Inveravon, in favour of the Laird of Grant, testifying to the Lords of the Privy Council that the Laird had been diligent in searching for James Grant (of Carron), Robert Grant his brother, and George Grant his son. Dated at Inveravon, 4th January 1636, ... 341

270. Notarial Instrument narrating a visit made to the Castle of Urquhart at the command of James Grant of Freuquhye, by John Grant of Dalrachnye, and others, to take an inventory of the plenishing of the castle, which had been despoiled. Dated at Urquhart, 27th June 1647, ... 341

271. Acknowledgment by the brothers and sister of James Grant of Freuquhy, of his forwardness to help them, and regretting the unnatural dealing of their brother Alexander Grant in suing the foresaid James at law, etc. Dated at Freuquhy, 22d August 1653, ... 342

272. Petition by the Presbytery of Strathspey, and heritors and wadsetters of the parishes of Abernethy, Kincardin, Glencarnie, and Rothiemurchus, addressed to Parliament for leave to appropriate the vacant stipends for a school in these parishes. *Circa* 1658, 343

273. Notarial Instrument narrating that James Ogilvie of Wester Cur, for himself and in name of the Laird of Grant, Patrick Grant of Tullochgorme, Patrick Grant of Clurie, and James Lowson of Eister Cur, passed to the Sconce, near Inverness, where he had twelve men for the three davochs of Tullochgorm, Clurie, and Cur, at work casting down the Sconce in obedience to the Earl of Murray's order, and there he took instruments that there was no overseer of the work on the Earl's behalf, etc. Done at the Sconce, near Inverness, 11th June 1662, ... 344

274. Copy Patent of proposed Earldom of Strathspey by King Charles the Second, whereby, in consideration of the services done by James Grant of Freuchie, specially under the late Marquis of Montrose, and that he is chief of the family of Grant, and descended of a very ancient and honourable race, etc., His Majesty ordains a letter to be passed, making, constituting, and creating the said James Grant of Freuchie, and the heirs-male gotten or to be gotten of his own body, whom failing, his nearest and

PAGE

lawful heirs-male whomsoever bearing the name and arms of Grant, to have the title, etc., of an Earl, and that they be called Earls of Strathspey, Lords Grant of Freuchie and Urquhart, with all other privileges belonging to the dignity of Earl, etc. [Undated, the warrant never having been signed], ... 345

275. Extract of recorded Testament-Testamentar, Inventory, and Latter Will of the deceased James Grant of Freuquhie, who died in September 1663, his testament being dated on 21st September of that year, and the inventory given up by the deceased's brother, Lieutenant-Colonel Patrick Grant, Tutor of Grant, in name of Ludovick Grant, lawful son and executor named by the deceased. Confirmed by the Commissary of Moray at Elgin, on 27th July 1665, and an additional inventory given up by Ludovick Grant of Freuchie is confirmed at Elgin, on 1st January 1677, ... 346

276. Bond by Robert Grant of Auchterblair, binding himself to his chief, Ludovick Grant of Freuchie, that Duncan Grant of Mullochard and his possessions shall remain unharmed by the granter, under the penalty of £1000 Scots for disobedience. Dated at Mullochard, 15th July 1675, ... 355

277. Declaration and Confession made by Donald M^cCoill Muil, servant to —— M^cAndro, tailor in Laggan Finlarge, giving an account of the theft of certain horses in August 1675. Dated at Ballachastell, 5th February 1676, ... 356

278. Extract Letter, directed by King James the Seventh to the Privy Council of Scotland, directing them to release the Laird of Grant from the effects of a sentence and fine pronounced against him at Elgin, on 11th February last (1685), for his own and his lady's nonconformity. In consideration of the Laird's zeal against the rebels at Bothwell Bridge in 1679, and against the late Earl of Argyll, the King discharges him of the fine, which amounted to £42,500 Scots, etc. Whitehall, 9th January 1686, ... 357

279. Obligation, signed by sixteen members of the Clan Macpherson, by which, considering that Duncan M^cPherson of Cluny, their present chief, has resolved to entail not his estate only, but also the representation of his clan, with his daughter to a stranger, past his righteous heir-male, the subscribers bind themselves to acknowledge no one as Duncan M^cPherson's representative, failing his heir-male, save William M^cPherson of Nuid, his true lineal successor, and his heirs-male, whom failing, the heirs-male whomsoever, etc. Subscribed at Beanchar, 14th 1689, ... 358

280. Extract Act of Parliament, in favour of Ludovick Grant of Freuchie, permitting free fairs and a weekly market for the convenience of the inhabitants of Inverness and Moray shires; two free fairs at the Kirk of Kyllemoir in Urquhart yearly, in August and November; two yearly fairs at Bellachastell in Inverness, in April and August; a yearly fair at the Kirk of Duthill in Morayshire, in June; a yearly fair in November at Abernethie, in Morayshire; and a weekly market at Bellachastell every Friday, etc. Edinburgh, 15th June 1693, ... 359

PAGE

281. Letter of Pension by James Earl of Perth, etc., in favour of Sir James Grant of Dalvey, advocate, giving to Sir James a yearly sum of 200 merks Scots from Whitsunday 1693, for his services as the Earl's advocate in all processes of law; the payment of the first term to be at Whitsunday 1694. At Drummond Castle, 15th July 1693, 360

282. Patent by Queen Victoria, advancing and creating John Charles, Earl of Seafield, to the state, etc., of Baron Strathspey of Strathspey, in the counties of Inverness and Moray, to have and to hold the said dignity of Baron Strathspey of Strathspey, to him and the heirs-male of his body lawfully begotten and to be begotten; the said John Charles, Earl of Seafield, and his heirs, as Barons Strathspey of Strathspey, to have a seat in the Parliament and assemblies of the United Kingdom of Great Britain and Ireland, and to enjoy all privileges belonging to other Barons of the United Kingdom, etc. Dated at Westminster, 14th August 1858, ... 361

LIST OF CHARTERS PRINTED IN ABRIDGED FORM.

PAGE

283. Transumpt, dated 14th July 1478, of Instrument upon the Renunciation of Rothiemurchus by Duncan and Lachlan in favour of Alexander Mackintosh. 10th October 1476, ... 363

284. Precept by George Earl of Huntly for infefting John Grant, son of Duncan Grant of Freuchie, in Fermestown, etc. 8th September 1478, ... 364

285. Charter by George Earl of Huntly to John Grant of Freuchie of the lands of Clewthre. 4th February 1491,..... 364

286. Charter by George Earl of Rothes to John Grant of Fruquhy of the lands of Muldaries. 25th November 1507, ... 364

287. Charter by Alexander Gaderar to John Grant of Fruchy of the lands of Auldcasche. 10th February 1512, ... 365

288. Instrument anent the performance of two contracts made between John Grant of Fruchy and John Cumming of Ernishedde. 8th September 1516, ... 365

289. Summons at the instance of James Grant of Freuchy against Finlay Farquharson and others for spoliation. 26th February [1532], ... 365

290. Feu-Charter by Patrick Bishop of Moray of the lands of Finlarg to William, son of James Grant of Freuchie. 7th May 1541, ... 366

291. Precept of Sasine by Patrick Bishop of Moray in favour of John Grant of Culcabok in Wester Ellochy. [7th May 1541], ... 367

PAGE

292. Charter by Norman Leslie, fiar of Rothes, to James Grant of Fruquhy, of the lands of Muldares. 12th June 1541, ... 368

293. Sub-Lease by Donald Glass to Angus Williamson, his brother, of the lands of Ardinche and Ballynaspy. 20th May 1542, ... 368

294. Summons for Spoliation against Allester Grant and William Grant, his brother. 8th July [1542], ... 369

295. Contract between George Gordon of Rothiemurcus and Alexander Dolles of Cantray about Rothiemurchus. 29th December 1542, ... 369

296. Feu-Charter by Patrick Bishop of Moray to Duncan Grant of the lands of Easter Ellochy. 16th January 1542,..... 371

297. Letters of Horning, James Grant of Freuchie against Margaret Ilis and Thomas Dinwell of Kildune, as heirs of Sir Donald Ilis of Lochelshe, for spoliation of Urquhart. 6th May 1549, ... 372

298. Paper respecting the legitimacy of Patrick, son of John Grant of Culcabok, being part of process before the Consistorial Court of Moray. 1549,..... 373

299. Contract between James Grant of Freuchie and Alexander Grant, brother of John Grant of Ballindalloch, as to Cardells. 26th July 1551, ... 376

300. Copy Marriage Contract between Thomas Cumming of Altyre and Margaret, daughter of James Grant of Freuchie. 15th September 1552, ... 377

301. Charter by Andrew Leslie, fiar of Rothes, to John Grant of Freuchy, of the lands of Muldares. 12th December 1554, ... 379

302. Contract between John Grant and James Thorntoun, parson of Cromdale, as to Teinds. 4th October 1555, ... 379

303. Tack of Teinds by John Thorntoun, parson of Advie and Cromdale, to John Grant of Freuchie. 30th November 1555, ... 380

304. Contract of Marriage between William Fraser of Struie and Elspet, daughter of John Grant of Fruquhye. 19th January 1560, ... 380

305. Contract of Marriage between John Leslie, younger of Balquhain, and Elizabeth, daughter of John Grant of Freuchy. 15th February 1564, ... 381

306. Disposition by George Earl of Huntly to John Grant of Freuchy of the lands of Rothiemurchus. 18th February 1566, ... 382

307. Charter by George Earl of Huntly to John Grant of Freuchie of the kirklands of Rothiemurchus. 14th July 1567, ... 384

308. Charter of Confirmation by Patrick Bishop of Moray to John Grant of Freuchie upon the kirklands of Rothiemurchus. 17th July 1567, ... 384

PAGE

309. Submission by Duncan Grant of Easter Elloquhy and James Grant of Wester Elloquhy of their dispute about marches, to arbitration. 6th April 1568, ... 385

310. Decreet-Arbitral in dispute between John Grant of Freuchie and James Grant of Kinkirdie about the marches of Kinkirdie and Glenchairnie. 3d May 1568,..... 386

311. Contract of Marriage between Colin Mackenzie of Kintail and Barbara, daughter of John Grant of Fruquhy. 26th July 1570, ... 388

312. Suspension at the instance of John Grant of Freuchie and others against George Bishop of Moray and Lachlan Mackintosh regarding payment of feu-maills. 8th June 1574, 390

313. Decreet by the Lords of Council and Session at the instance of John Grant of Freuchie and Isobel, his daughter, for registration of a contract, dated 21st January 1575, between them and John Leslie of Balquhain, regarding divorce of John Leslie and Isobel Grant. 5th March 1576, ... 391

314. Resignation of Corrimony by John Grant in favour of Duncan Grant, apparent of Freuchie. 20th May 1580,..... 393

315. Charter by John Grant of Fruquhye to Patrick Grant of Rothiemurchus, his son, of the lands of Finlarg. 26th December 1580, ... 394

316. Charter of Apprising to James Grant of Auchernack of the lands of Auchnarrows. 1st May 1585, ... 394

317. Summons for registering a Contract of Marriage, dated 17th March 1558, between Patrick Grant of Ballindalloch and Grissell Grant. 25th July 1586, ... 397

318. Assignation by James Lord Stewart of Newtoun to Patrick Grant of Rothiemurchus of the ward of Freuchie. 2d September 1586, ... 399

319. Summons against Jean Leslie, relict of John Grant of Freuchie. 26th November 1586, 400

320. Charter by James Grant of Auchernack to John Grant of Freuchie of Auchnarrows, etc. 2d October 1589,..... 400

321. Contract of Marriage between John Grant of Freuchie and Lady Lilias Murray. 15th April 1591,..... 401

322. Charter of Confirmation of grant by John Grant of Freuchie to Patrick, his brother, of Kessoryne and Strome. 13th July 1593, ... 402

323. Contract of Marriage between Alexander Cumming of Altyre and Elizabeth Grant. 27th April 1594,..... 403

324. Discharge by Kenneth Mackenzie of Kintail to John Grant of Freuquhie. 6th May 1606, ... 405

325. Tack of small teinds and vicarage to Lachlan Grant of Wester Elchies. 9th November 1607, ... 406

PAGE

326. Disposition by James Earl of Murray to John Grant of Freuchie of the lands and lordship of Abernethy. 13th April 1609, ... 406

327. Crown Charter of the lands and lordship of Abernethy. 17th June 1609, ... 407

328. Disposition by Thomas Nairne of Cromdale to John Grant of Frewquhie of lands in the barony of Cromdale. 12th May 1609, ... 408

329. Crown Charter of the barony of Cromdale. 28th June 1609, ... 408

330. Contract of Marriage between Lachlan Mackintosh of Dunachton and Annas Grant. 16th August 1611, ... 410

331. Contract of Marriage between William Sutherland, apparent of Duffus, and Jean Grant. 19th September 1612, ... 411

332. Submission by Allan Cameron of Lochiel to arbiters in dispute between himself and the Earl of Argyll. —— 1612, ... 412

333. Contract of Marriage between Sir John Grant of Freuchie and Mary Ogilvie. 11th December 1613, ... 413

334. Decreet-Arbitral between John Grant of Freuquhy and John Grant of Glenmoriston on the one part, and William Leslie on the other part. Dated 27th February 1611, and registered 16th June 1614, ... 415

335. Extract Decreet-Arbitral between Archibald Earl of Argyll and John Grant of Freuchie, regarding reset of the Clan Gregor. 3d February 1615, ... 417

336. Contract of Marriage, Duncan Grant of Clurie and Muriel Ross. 4th July 1615, ... 418

337. Contract between John Grant of Freuchie and Alexander Gordon of Strathavon, regarding lands in the lordship of Strathavon. Dated 24th March 1612, and registered 17th February 1618, ... 419

338. Contract between William Earl of Tullibardine and John Grant of Freuquhy, regarding the lands of Clavalgis and others. 21st March 1618, ... 421

339. Copy Letters under the Signet for annexation of Cromdale and Inverallan parishes. 7th July 1618, ... 422

340. Disposition by John Earl of Rothes to John Grant of Freuchie, of the ward of Muldares. 9th January 1619, ... 423

341. Bond by Sir John Grant of Mulben as to Mackintosh's ward. 27th August 1622, ... 423

342. Contract between Sir John Grant of Fruquhye and Allan M°Ranuil of Lundie, for sale of the latter's woods. 6th October 1622, ... 424

343. Gift of the Escheat of Allan M°Ranuil to Sir John Grant. 7th December 1622, ... 426

344. Bond by Sir John Grant of Freuquhy to Colin Mackenzie, Lord Kintail, regarding the forest of Clunie and Glenloyne. 21st December 1622, ... 427

PAGE

345. Contract between Alexander Lord Spynie and Sir John Grant of Freuchie, regarding the patronages of the chancellary and sub-chantry of Moray. 24th December 1622, 428

346. Contract between Sir John Grant of Freuquhie and William Mackintosh of Torchastell, knight, and Allan Cameron of Lochiel, with John his son. 21st September 1623,... 431

347. Discharge to Sir John Grant of Freuchie of a fine of 2000 merks on behalf of Duncan Grant, younger of Rothiemurchus, for resetting the Clan Gregor. 7th May 1624,... 435

348. Decreet-Arbitral anent the marches of Muldaries. 7th September 1626, ... 436

349. Ratification by Alexander Innes, Chancellor of Moray, to Sir John Grant of Freuquhie, of tack of teinds. 16th November 1626, ... 436

350. Contract of Excambion by Sir John Grant of Freuquhy with Lady Mary Ogilvie, his wife, of the liferent of the lands of Mulben for Lethin, etc. 27th October 1627, ... 437

351. Contract between Sir John Grant of Freuquhy and John Grant, fiar of Ballindalloch, and James Grant, grandson of John Grant of Ballindalloch, anent the lands of Ballindalloch. 19th March 1628, ... 440

352. Decreet by the Lords of Privy Council in favour of Sir John Grant, absolving him from the charge of resetting James Grant of Carron. 29th January 1629, ... 441

353. Contract, by which Sir John Grant of Freuquhie sells to Captain John Mason his woods of Abernethie, etc. 28th August 1630, ... 442

354. Act of the Court of Justiciary against Alister Grant. 4th August 1632, ... 443

355. Contract between Sir John Grant of Freuchie and Dame Mary Ogilvie, his wife, giving her the liferent of lands in Urquhart instead of Lethin, etc. 21st June 1634, ... 444

356. Retour of Sir John Grant of Freuquhie as heir to his father in Kinminitie, etc. 22d July 1634, ... 446

357. Charge to Sir John Grant to appear before the Lords of Council to give information as to depredations. 13th November 1634, ... 447

358. Draft Petition, John Grant, apparent of Ballindalloch, against the Lairds of Grant and Glenmoriston, for resetting of James Grant. January 1635, ... 448

359. Answers by the Laird of Grant to the Privy Council, as to settling the peace of the country. January 1635, ... 449

360. Contract of friendship and amity between Sir John Grant of Freuquhie and John Grant, fiar of Ballindalloch. 9th August 1635, ... 450

361. Summons to Thomas Grant, tutor of Carron, to appear before the Lords of Privy Council to answer for resetting James Grant. 14th April 1636, ... 451

362. Extract of the Criminal Process against McJockies (the Grants of Wester Tulloch). 14th July 1637, ... 451

PAGE

363. Receipt on delivery of the keys of Elchies Charter-chest by James Grant of Freuquhie to Patrick Grant of Ballindalloch and Robert Grant. 8th August 1640, ... 454

364. Contract of Marriage between Annas Grant and Kenneth Mackenzie of Gairloch. 17th October 1640, ... 454

365. Post-nuptial Contract of Marriage between James Grant of Freuchie and Lady Marie Stewart. 19th May 1643, ... 456

366. Decreet-Arbitral regarding the multures of the mill of the Breas of Abernethie. 9th March 1647, ... 459

367. Agreement with masons respecting repairs on Castle Grant. 5th June 1649, ... 459

368. Agreement with slater for same. 1st November 1649, ... 460

369. Note of the heads and conditions agreed upon between James Grant of Freuquhie and John Innes or M'Innes, fowler. 9th August 1652, ... 461

370. Agreement by Dame Mary Stewart, Lady Grant, as to supply of provisions. 15th October 1652, ... 461

371. Letter of Pension to Alexander Cumming, piper. 5th April 1653, ... 462

372. Contract of Marriage between Mungo Grant in Duthil and Elizabeth Grant. 12th May 1664, ... 462

373. Contract of Marriage between John Byres of Coittis and Lilias Grant. 26th May 1666, 463

374. Disposition by David Cuming of Kinchirdie to Mungo Grant of the lands of Kinchirdie. 11th June 1667, ... 464

375. Submission and Decreet-Arbitral respecting satisfaction to be made for the slaughter of Lauchlan M'Intosh and William M'Rob, etc. 15th August 1668, ... 467

376. Latter Will and Testament of Alexander Fraser, tutor of Lovat. 9th November 1669, 468

377. Contract of Marriage between Ludovick Grant of Freuchie and Janet Brodie. 21st December 1671, ... 469

378. Disposition by Sibilla Mackenzie, relict of Alexander Fraser, tutor of Lovat, to Patrick Grant, tutor of Grant, her husband, of the escheat of the former. 21st June 1672, 472

379. Contract of Excambion between Ludovick Grant of Freuchie and John Grant of Corriemony, of the lands of Carnoch and Kerrownakeill, for Pitcherrell Croy and Auchatemrack. 21st July 1674, ... 473

380. Instrument of Resignation by Sir James Grant of Dalvey of the lands of Gartenbeg, in favour of Ludovick Grant of Freuchie. 24th March 1691, ... 475

381. Crown Charter of the Regality of Grant. 28th February 1694, ... 476

PAGE

382. Extract Act of Parliament in favour of the Laird of Grant, recommending him to King William for his losses from 1689-1693. 10th July 1695, ... 482

383. Instrument of Resignation of Abriachans, etc., in favour of Ludovick Grant of Grant. 12th June 1696, ... 484

384. Disposition by John Grant of Glenmoriston to Ludovick Grant of that Ilk of the lands of Culenakirk and Clunemore. 27th June 1696, ... 485

385. Sasine thereon. 30th July 1696, ... 485

386. Contract of Marriage, Alexander Grant, younger of Grant, and Elizabeth Stewart. 29th December 1699, ... 485

387. Articles for Contract of Marriage between James Grant of Pluscarden and Anna Colquhoun. 10th January 1702,..... 487

388. Full Translation of Diploma in favour of Sir Humphrey Colquhoun of Luss of the dignity of knight-baronet. 29th April 1704, ... 489

389. Contract of Marriage between Hugh Rose, younger of Kilravock, and Elizabeth Grant. 23d May 1704, ... 492

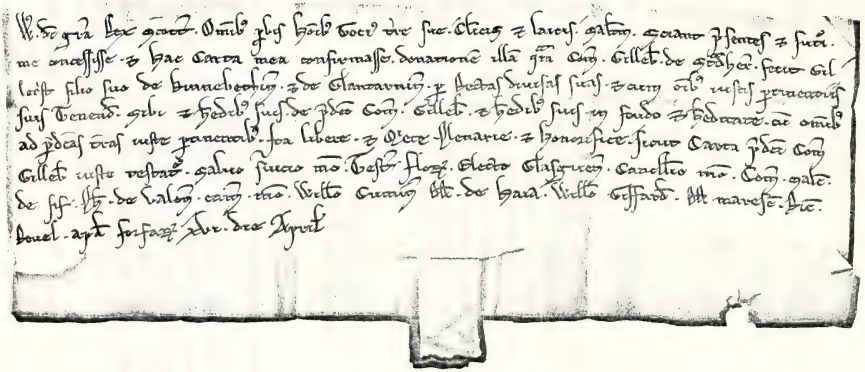
390. Contract of Marriage between Colonel Alexander Grant, younger of Grant, and Anne Smith. 7th April 1709, ... 492

391. Will and Testament of Alexander Grant of Grant. 28th March 1710,..... 493

392. Articles of Marriage, Lieutenant-Colonel William Grant of Ballindalloch and Anne Grant. 30th October 1711, ... 494

393. Articles of Marriage between Ludovick Colquhoun of Luss and Marion Dalrymple. 13th August 1728, ... 495

Xpo. dei gra Rex Scott. Epis. Abbatib. Comitib. Baronib. Iusticiis. Vicecomitib.
Ministris. & Omnib; fidelib; hominib; tocius Terre sue Salutē. Sciatis me dedisse & concessisse. & hac carta mea confirmasse Comiti Gileb de
Sudherey. Kinbethach. & suis rectas diuisas. & cū omnib. rebus pertinentib;
suis. tenendū sibi & heredib; suis. de me. & heredibus meis. ad libe. & quiete
& honorifice comitatū de Sudthy. Testib. hugo epo Sci Andree. Willo fre meo.
Comite Dunecd. Comite G. de Angus. Gilla Odhar Clamens. Johe de
Lundonis. Rob de Brus. Malcolm mac Gilli. Gillese. mac mentannach
Gillemich. mac Duncd. Gillecolm Mayesmid.



CHARTERS AND MISCELLANEOUS WRITS OF THE GRANTS OF GRANT

A.D. 1180—1735.

1. Charter by King William the Lion to Gilbert Earl of Strathern, of Kinbethach. [*Circa* 1180.][1]

Willelmus Dei gracia Rex Scottorum, episcopis, abbatibus, comitibus, baronibus, iusticiis, vicecomitibus, ministris, et omnibus probis hominibus tocius terre sue, salutem: Sciant presentes et futuri me dedisse et concessisse, et hac carta mea confirmasse Comiti Gileberto de Stradhern, Kinbethach per suas rectas diuisas, et cum omnibus iustis pertinenciis suis: Tenendum sibi et heredibus suis de me et heredibus meis, ita libere et quiete sicut tenet comitatum de Stradhern: Testibus, Hugone episcopo Sancti Andree, Dauide fratre meo, Comite Dunecano, Comite G. de Anegus, Waltero de Berkelai camerario, Johanne de Lundoniis, Roberto de Berkelai, Malcolmo Mac Gillis, Gillecristo Mac Imensanniel, Gillemichaele Mac Dunecan, Gillecolmo marescaldo.

2. Charter by King William the Lion, confirming a Gift by Gilbert Earl of Strathern to Gilchrist his son, of Kinnebethin and Glancarnin. 16th April [*circa* 1205].

Willelmus Dei gratia Rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem: Sciant presentes et futuri me concessisse, et hac carta mea confirmasse donationem illam quam Comes Gillebertus de Stradhern fecit Gillecristo filio suo, de Kinnebethin et de Glancarnin, per rectas diuisas suas, et cum omnibus iustis pertinenciis suis: Tenendis sibi et heredibus suis de predicto Comite Gilleberto et heredibus suis, in feudo et hereditate, cum omnibus [ad predictas] terras iuste pertinentibus, ita libere et quiete, plenarie et honorifice, sicut carta predicti Comitis Gilleberti iuste testatur; saluo seruicio meo: Testibus, Florencio electo Glasguensi cancellario meo, Comite Malcolmo de Fif, Philippo de Valoniis camerario meo, Willelmo Cumin, Dauide de Haia, Willelmo Giffard, Dauide marescallo, Ricardo Reuel; apud Forfare, xvi. die Aprilis.

[1] Original Charter in the Charter-chest of the Duke of Athole.

3. Confirmation by King Alexander the Second of the Grant by Gilbert Earl of Strathern to his son Gilchrist, of Kinnebethin and Glancarnin. 12th February [1220-6].

Alexander Dei gratia Rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciant presentes et futuri me concessisse, et hac carta mea confirmasse donationem illam quam Comes Gillebertus de Stradhern fecit Gillecristo filio suo de Kinebethin et de Glancarnin, per rectas diuisas suas, et cum omnibus iustis pertinentiis suis : Tenendis sibi et heredibus suis de predicto Comite Gilleberto et heredibus suis in feudo et hereditate, cum omnibus ad predictas terras iuste pertinentibus, ita libere et quiete, plenarie et honorifice, sicut carta predicti Comitis Gilleberti et confirmacio domini Regis Willelmi, patris mei, iuste testantur ; saluo seruicio meo : Testibus, Willelmo de Boscho cancellario, Willelmo Cumin comite de Buhhan, iusticiario Scottie, Alexandro vicecomite de Striuelin, Waltero de Lindesey, Roberto de Sancto Claro, Ricardo filio Michaelis ; apud Dunfermelyn, xii. die Februarii.

4. Notarial Transumpt, dated 15th June 1476, of a Charter by King Alexander the Second to the Bishop of Moray, of the lands of Rothiemurchus. 31st March [1226].

In Dei nomine amen. Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab incarnacione Domini millesimo quadringentesimo septuagesimo sexto, mensis vero Junii die decima quinta, indictione nona, pontificatus sanctissimi in Christo patris ac domini nostri, domini Sixti diuina prouidencia pape quarti, anno quinto ; in mei notarii publici testiumque infrascriptorum presencia, personaliter constitutus honorabilis et prouidus vir, Alexander M^c^Kintoiche de Reddomurcus, quoddam registrum autenticum ecclesie cathedralis Morauiensis, in quoquidem registro vera copia carte terrarum de Reddomurcus inserebatur ac inscribebatur, in presentia venerabilis ac magne circumspectionis viri, magistri Villelmi de Byrnetht, vicarii ecclesiarum de Eskill et Duple, Morauiensis diocesis, ac commissarii generalis Morauiensis diocesis antedicte, pro tribunali sedentis in ecclesia cathedrali predicta, loco consistoriali eiusdem, in medium produxit ; eamdemque veram copiam per me notarium subscriptum ibidem perlegi, ac de eodem extrahi, exemplari, transsumi, autenticari, et in publicam formam redigi, fidemque in iudicio et extra transsumpto exinde confecto sicut carte dictarum terrarum de Reddomurcus originali dari et concedi per prefatum dominum commissarium iudicem decernique et declarari, vnacum interpositione decreti et appensione sigilli sui quo vtitur in officio, ad futuram rei memoriam, humiliter postulauit et requisiuit, cum effectu : Cuius carte copie in iudicio sic perlecte tenor de verbo in verbum sequitur et est talis :—Alexander Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciant presentes et futuri me dedisse et concessisse, et hac presenti carta mea confirmasse Deo et ecclesie Morauiensi, et Andree episcopo Morauiensi, et successoribus suis, episcopis Morauiensibus, terram de Rathmorchus per suas rectas diuisas et cum iustis pertinenciis

suis, in excambium terrarum quas predictus episcopus Morauiensis peciit in forestis nostris, scilicet, vnam dauacham et dimediam in foresta de Inuerculane apud Calrunelan et Belethyn, et dimediam dauacham in landis Morgundi, et quartam partem vnius dauache in Pluscardyn, et dimediam dauacham in Ternway, et in eadem foresta dimediam dauacham ex altera parte aque de Fynderne ex opposito ecclesie de Logyn, et triginta acras in Wytfeilde apud Rath, et quindecim acras apud Duldawy : Saluis eidem episcopo et successoribus eius aliis terris et pasturis per rectas diuisas suas, quas ipse et predecessores sui iuste habuerunt in forestis nostris ante istam donacionem : Tenendam predicto Andree episcopo et successoribus eius ita libere [et] quiete, sicut alii episcopi Scocie terras suas liberius et quiecius tenent et possident : Faciendo forinsecum seruicium quod ad terram illam pertinet. Concessimus etiam predicto Andree episcopo et successoribus suis predictam terram de Rathmorcus in forestam : Quare prohibemus firmiter ne quis in eadem terra sine eorum licentia secet aut venetur super nostram plenariam forisfacturam decem librarum : Testibus, Comite Patricio, Comite Macolmo de Fiffe, Allano filio Rollandi constabulario, Valtero filio Alani senescallo, Waltero Olifard iusticiario Laodonie, Henrico de Baillol camerario, Ingeram de Baillol vicecomite de Bervyk, Johanne de Hay vicecomite de Perth, Villelmo Munfichet; apud Striuelynge, vltimo die Marcii, anno regni nostri duodecimo.[1] POST [CUIUSQUIDEM] registri in iudicio presentacionem, et preinserte carte copie lecturam, prefatus dominus commissarius iudex attendens postulacionem et requisicionem huiusmodi fore iustas et racioni consonas, preinsertam carte copiam de predicto registro extrahere, exemplare, transsumere, et in publicam formam transsumpti, seruatis seruandis, fideliter redigere mandauit: Et ad tollendum omne dubium, decretum autoritate sua predicta, vnacum appensione sui sigilli quo in officio vtitur, interposuit; videlicet, quod presenti transsumpto in iudicio et extra vbique locorum plena et indubitata fides adhibeatur sicut preinserte copie seu carte originali : Super quibus omnibus et singulis prefatus Alexander M^c^Kyntoiche a me notario publico siue a nobis notariis publicis subscriptis sibi fieri peciit publicum seu publica instrumentum seu instrumenta : Acta erant hec loco quo supra, sub anno, mense, die, indiccione et pontificatu quibus supra; presentibus ibidem, venerabilibus et discretis viris, magistris Alexandro Stewart, Johanne Vyncestre, dicte ecclesie cathedralis Morauiensis cancellario et subdecano, Villelmo Mowat eiusdem ecclesie canonico, dominis Finlao Bell, rectore de Croy in eadem, Henrico Lychtovn, Valtero Byrneth, Patricio Thome, et Gilberto Finrosse, cum diuersis aliis ad premissa vocatis specialiter et rogatis.

Et ego Willelmus Galbrath, presbyter Glasguensis diocesis, publicus autoritatibus imperiali ac regali notarius, dicti registri in iudicio productioni [*etc.*]

Et ego Johannes Gy, presbyter Brechinensis diocesis, publicus auctoritate imperiali notarius, quia premissis omnibus et singulis [*etc., in forma communi*].

[1] The blanks in this Transumpt are filled up from the Registrum Episcopatus Moraviensis, p. 21.

5. AGREEMENT between ANDREW BISHOP OF MORAY and GILBERT, son of the Earl of Strathern, anent the lands of Kyncarny. 12th September 1232.

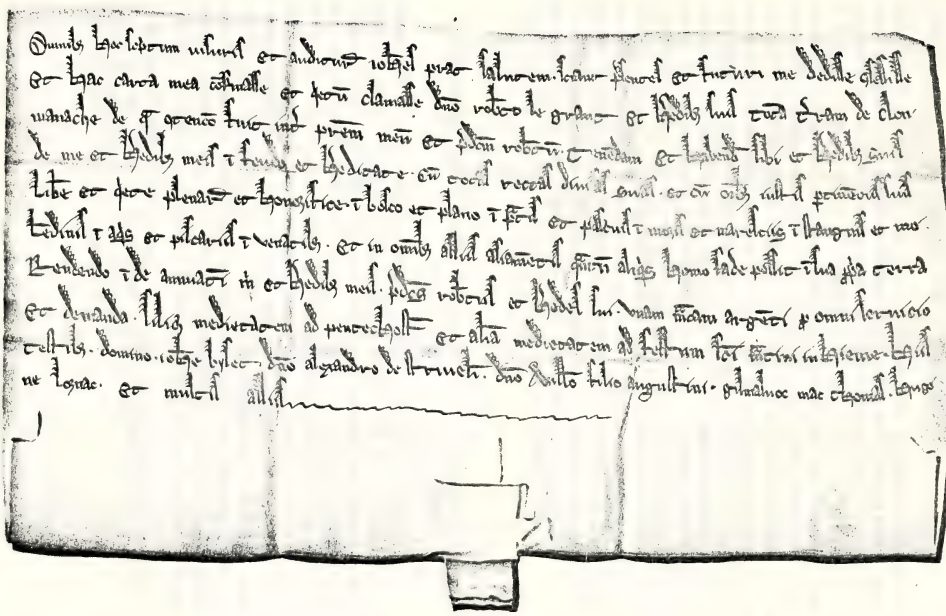
OMNIBUS hoc scriptum visuris vel audituris : Noverint omnes, de consilio et consensu et voluntate decani et capituli Moraviensis ecclesie cathedralis, convenisse inter Andream Moraviensem episcopum ex parte una, et Gylbertum filium Gylberti quondam comitis de Stratheren ex altera, sub hac forma, scilicet : Quod predictus Gylbertus et heredes sui tenebunt de predicto episcopo et successoribus suis ad feodifirmam dimidiam dauacham de Kyncarny, per rectas divisas et cum omnibus justis pertinentiis suis : Reddendo inde singulis annis predicto episcopo et successoribus suis, pro omni servitio et exactione ad eosdem pertinentibus, tres marcas sterlingorum legalium ; medietatem, scilicet, ad Pentecosten et aliam medietatem ad festum Sancti Martini in hyeme proxime sequens : Faciendo forinsecum servitium domini Regis quantum ad predictam terram pertinet : Si autem predicta terra per guerram fuerit destructa, secundum arbitrium bonorum virorum de predicta firma minuetur ; salvis etiam predicto episcopo et successoribus suis nativis hominibus dicte terre omnibus et singulis : Si autem contigerit quod predictus Gylbertus vel aliquis heredum suorum contra predictam conventionem venire presumpserit, dabit nomine pene episcopo Moraviensi x marcas sterlingorum legalium ; manente nichilominus et firmiter observanda, ab eisdem predicta conventione ; hoc autem fiet quotienscunque dictam conventionem dictus Gylbertus vel aliquis heredum suorum infringere presumpserit : In premissorum autem firmum et indubitabile testimonium illi parti hujus scripture in modum cyrographi confecte, que remansura est apud predictum Gylbertum et heredes suos, apposita sunt sigilla predictorum episcopi et capituli sui cum subscriptionibus eorundem ; alteri vero, que remansura est apud predictum episcopum et successores suos, appositum est sigillum Gylberti cum signo ejusdem manifesto : Testibus, domino S. decano Moraviensis ecclesie, magistro W. precentore, Ranulpho archidiacono, Willelmo cancellario, Gylberto de Bradhouche, N. monacho Vallis Crescentis, Petro et Johanne clericis nostris, Symone de Orreby, R. camerario, W. de Sutherlandia, W. filio F. comitis de Ros. Actum anno gratie m°cc°xxxii°, pridie Idus Septembris.[1]

6. CHARTER by ALAN, HOSTIARIUS [DOORWARD] OF SCOTLAND, to SIR GILBERT of Glenkerny, of the half of Tulachfyny, in Mar. [*Circa* 1256.]

OMNIBUS hoc scriptum visuris uel audituris, Alanus Hostiarius Scocie, salutem in Domino sempiternam : Nouerit vniuersitas vestra me dedisse, concessisse, et hac presenti carta mea confirmasse domino Gilberto de Glenkerny, pro homagio et seruicio suo, medietatem tocius terre mee de Tulachfyny in Marr : Tenendam et habendam dicto domino Gilberto, et

[1] Registrum Moraviense, p. 89.

Omnibus hoc scpt̄m visurís vel audituris. Ego Adam Hostiarius fec̄ cartam in dño comparem̄ & fouc
mutuo & ea ge debuit. concessisse. & hac pſenti carta mea confirmasse. dño Gilberto de Glenbuy. p homa
gio & seruic suo medietatem totius t̄re mee de Gulachfyny. in ye-ar-ie Cheneud. & habend. dicto dño Gilb
erto & heredib; suis vel assignatis. in feodo & hereditate de me & heredib; meis. p omnes reddit̄ & consue
tudines. omnib; pertinenciis suis. tam aſſiamentis ad dictam t̄ram pertinentib; vel de iure pertinere valentib; in bosco
& plano. in viis & semitis. in pratis & pascuis. in aquis & molendinis. in pertinen
& turbariis. & cum omnib; aliis libertatib; & iustis suis pertinenciis. tam non nominatis q̄m nominatis
Libere. quiete. plenarie & honorifice. ab omni seculari. exactione. consuetudine & demanda. Faciendo
do tamen dicti domini Gilberti & heredes sui vel assignati. forinsecum seruic dñi Regis scotie. tam
quod contingit pertinet ad tantam t̄ram. Et p pdicto forinseco. seruic dñi Regis faciendo. de
tus dus Gilberti & heredes sui sine assignati. erunt Liberi & quieti ab omni seculari exactione & de
redum meorum. Ego vero dictus Adam hostiarius & heredes mei pdictam t̄ram de Gulachfyny. cū
pertinenciis & omnib; libertatib; suis sicut p̄nominatum est. pdicto dño Gilberto & heredib; suis vel
assignatis & omnes homines & feminas. warrantizabim̄. adquietabim̄ & inperpetuum defendem̄. Et
ut hec mea donacio & carta perpetuam firmitatem habeat huic scripto sigillum meum apposui. His testib; dñis
Roberto Lyster. Thoma Lyster. Thoma Eybald. Thoma hostiario. Johe p̄rato. magistro Dauid Bec
tore eccē de Glenberuy. magistro Lic Petro ponas de Spe. dño Bobo capellano. Willmo de
rico & al——.



heredibus suis uel assingnatis, in feodo et hereditate, de me et heredibus meis, per omnes rectas diuisas suas, cum omnibus pertinenciis atque asyamentis ad dictam terram pertinentibus uel de iure pertinere valentibus, in bosco et plano, in viis et semitis, in pratis et pascuis, in moris et maresiis, in stanguis et molendinis, in petariis et turbariis, et cum omnibus aliis libertatibus et iustis suis pertinenciis, tam non nominatis quam nominatis, libere, quiete, plenarie et honorifice, ab omni seruicio seculari, exaccione, consuetudine et demanda: Faciendo tamen dictus dominus Gilbertus et heredes sui uel assingnati forinscecum seruicium domini Regis Scoticanum, quando accidet, quantum pertinet ad tantam terram; et pro predicto forinsceco seruicio domini Regis faciendo, dictus dominus Gilbertus, et heredes sui siue assingnati, erunt liberi et quieti ab omni secta curie mee et heredum meorum: Ego vero Alanus Hostiarius et heredes mei predictam terram de Tulachfyny cum pertinenciis, et omnibus libertatibus suis, sicut prenominatum est, predicto domino Gilberto, et heredibus suis uel assingnatis, contra omnes homines et feminas warantizabimus, adquietabimus, et in perpetuum defendemus: Et ut hec mea donacio rata permaneat et stabilis, huic scripto sigillum meum apposui; hiis testibus, dominis Roberto Byset, Thoma Byset, Thoma Sybaud, Thoma Hostiario, Johanne Praté, Magistro Dauid rectore ecclesie de Glenberuy, Magistro Ricardo rectore Pontis de Spe, domino Roberto capellano, Willelmo clerico et aliis.[1]

7. Charter by John Prat to Sir Robert le Grant of the lands of Clonmanache. [*Circa* 1258.]

Omnibus hoc scriptum uisuris et audituris, Johannes Prat, salutem: Sciant presentes et futuri me dedisse, concessisse, et hac carta mea confirmasse et quietum clamasse domino Roberto le Grant et heredibus suis totam terram de Clonmanache, de qua contencio fuit inter patrem meum et predictum Robertum: Tenendam et habendam sibi et heredibus suis de me et heredibus meis, in feudo et hereditate, cum [per] totas rectas diuisas suas et cum omnibus iustis pertinenciis suis, libere et quiete, plenarie et honorifice, in bosco et plano, in pratis et pascuis, in moris et maresciis, in stangnis et molendinis, in aquis et piscariis, in venatibus, et in omnibus aliis asiamentis, quantum aliquis homo facere possit in sua propria terra: Reddendo inde annuatim michi et heredibus meis predictus Robertus et heredes sui vnam marcam argenti pro omni seruicio et demanda, scilicet, medietatem ad Pentechosten et aliam medietatem ad festum Sancti Martini in hieme: Hiis testibus, domino Johanne

[1] In a quitclaim of the lands of Kingoldrum by Sir Alan Durward, justiciar of Scotland, dated 1256, Sir Thomas Byseth and Sir Thomas "Hostiarius, meus filius," occur as witnesses, and it is probable that this charter was granted about the same time. [Registrum Vetus de Aberbrothoc, pp. 227, 228.]

Byset, domino Alexandro de Striuelin, domino Willelmo filio Augustini, Gilmaluoc mac Thomas, Hugone Lornac, et multis aliis.[1]

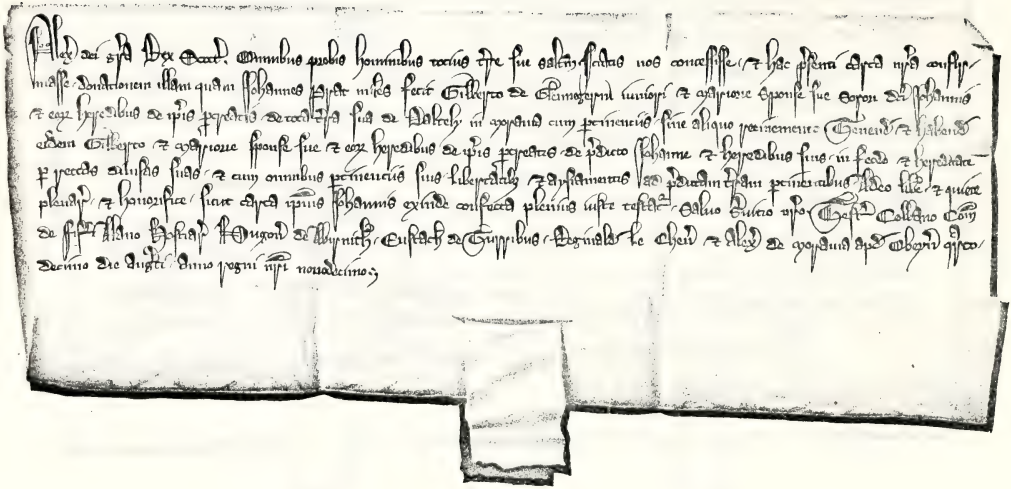
8. Confirmation by King Alexander the Third of a Grant by John Prat, knight, to Gilbert of Glennegerni younger, and Marjory his spouse, of the lands of Daltely. 14th August [1267].

Alexander Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue, salutem: Sciatis nos concessisse, et hac presenti carta nostra confirmasse donationem illam quam Johannes Prat, miles, fecit Gilberto de Glennegerni iuniori, et Mariorie sponse sue, sorori dicti Johannis, et eorum heredibus de ipsis procreatis, de tota terra sua de Daltely in Morauia cum pertinenciis, sine aliquo retinemento: Tenenda et habenda eidem Gilberto et Mariorie sponse sue, et eorum heredibus de ipsis procreatis, de predicto Johanne et heredibus suis, in feodo et hereditate, per rectas diuisas suas, et cum omnibus pertinenciis suis, libertatibus et aysiamentis ad predictam terram pertinentibus, adeo libere et quiete, plenarie et honorifice, sicut carta ipsius Johannis exinde confecta plenius iuste testatur; saluo seruicio nostro: Testibus, Colbano comite de Fif, Alano Hostiario, Hugone de Abirnithyn, Eustachio de Turribus, Reginaldo le Chene, et Alexandro de Morauia; apud Obeyne, quarto decimo die Augusti, anno regni nostri nono decimo.

9. Confirmation by King Alexander the Third, of a Gift by Walter Stewart, Earl of Menteith, to Gilbert, son of Gilbert of Glenkerny, knight, of the half of Broculy. 14th August [1267].

Alexander Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue, salutem: Sciatis nos concessisse, et hac presenti carta nostra confirmasse donationem illam quam Walterus Senescallus, comes de Meneteth, fecit Gilberto filio Gilberti de Glenkerny, militi, de consensu et voluntate Marie sponse sue, comitisse de Meneteth, de medietate ville de Broculy cum pertinenciis, videlicet, illa medietate que iacet in parte orientali uersus marchias de Eglysdissentyne: Tenenda et habenda eidem Gilberto et heredibus suis, de predictis Waltero Comite et Maria sponsa sua, et eorum heredibus, in feodo et hereditate, per rectas diuisas suas, et cum omnibus iustis pertinenciis suis, libertatibus et aysiamentis ad predictam medietatem ville de Broculy pertinentibus, adeo libere et quiete, plenarie et honorifice, sicut carta predicti Walteri Comitis eidem Gilberto exinde confecta plenius iuste testatur; saluo seruitio nostro: Testibus, Colbano comite de Fife, Alano Hostiario, Hugone de Abirnithyn,

[1] Sir John Byseth, Sir W. Augustini, Sirs Laurence and Robert called Grant occur in an agreement between the Bishop of Moray and Sir John Byseth in 1258. [Registrum Moraviense, pp. 133-135.]



Omnibz xpi fidelibz hoc scriptum visurs vel audituris Gilbertus Dei gra Dominus de Glenbervi
gilles salutem in Dno Sciatis me unanimi assensu et bona mea concessisse et hac mea carta
confirmasse pro me et heredibz meis Deo et ecclie Sancte Marie de Melros et monachis ibidem
deo servientibz de Cumbus cum omnibz pertinentiis suis in puram et perpetuam elemosinam
sicut aliqua elemosina liberius et quietius dari vel teneri potest ad luminare ecclie
predicte de Melros inveniendum Concedo etiam eisdem monachis de Melros quod habeant
et teneant de me et heredibz meis omnes terras suas quas habent in Galweya tam in
boscis quam in planis et pratis et pascuis et aquis et molendinis et in omnibz aliis locis
libere et quiete et honorifice et integre sicut carte quas inde habent testantur Quare volo
et firmiter precipio pro me et heredibz meis quod predicti monachi de Melros habeant et
teneant omnes predictas terras suas cum omnibz pertinentiis suis bene et in pace et libere
et quiete et honorifice et integre sicut aliqua elemosina liberius et quietius dari vel teneri
potest Testibz hiis Waltero Cancellario Willelmo de Morevill Constabulario Normanno
filio Malcolmi Willelmo de Lindesay Willelmo de Hay Willelmo de Veteri ponte Roberto
de Lascelles Willelmo de Somerville Willelmo de Soulis Willelmo de Sancto Claro
Willelmo de Hoga Willelmo de Graham Willelmo de Ridale Willelmo de Lasceles
Willelmo de Vallibz Willelmo de Gordon Willelmo de Hamelton Willelmo de Ramesay
Willelmo de Bosco Willelmo de Bosco Willelmo de Bosco Willelmo de Bosco

Eustachio de Turribus, Reginaldo le Chene, et Alexandro de Morauia ; apud Obeyne, quarto decimo die Augusti, anno regni nostri nono decimo.

10. CHARTER by GILBERT THIRD LORD OF GLENKERNY, knight, to GILBERT his eldest son, of the land of Gerbothy. 2d February 1280.

OMNIBUS Christi fidelibus hoc scriptum visuris vel audituris, Gilbertus tercius dominus de Glenkerny, miles, salutem in Domino : Nouerit vniuersitas vestra me, cum spontanea voluntate Matilde mee sponse, dedisse Gilberto filio meo primogenito totam terram de Gerbothy cum pertinenciis, pro homagio et seruicio suo : Habendam et tenendam dicto Gilberto et heredibus suis de ipso procreatis in perpetuum, libere, quiete, et plenarie, cum omnibus libertatibus et asyamentis ad dictam terram pertinentibus, de me et dicta Matilda : Reddendo inde annuatim michi vel dicte Matilde vnum par albarum cyrothecarum ad Pentecosten pro omni seruicio, consuetudine et demanda, et faciendo Scoticanum seruicium domini Regis quantum ad dictam terram pertinet : Ego vero et dicta Matilda dicto Gilberto et heredibus suis superius notatis predictam terram cum pertinenciis contra omnes homines et feminas in perpetuum warantizabimus, adquietabimus et defendemus : In cuius rei testimonium huic scripto sigillum meum, vna cum sigillo dicte Matilde, est appositum : Testibus, dominis Johanne de Striuelyn, Johanne Prat, Willelmo de Dolays, militibus ; Jacobo de Mar, magistro Henrico cancellario Morauiensi, domino Johanne archidiacono Morauiensi, domino Radulpho subdecano Morauiensi. Datum apud Glenkerny, in festo purificacionis Beate Marie, anno Domini millesimo ducentesimo octogesimo.

11. CHARTER by GILBERT of GLENCARNY to DUNCAN OF FERYNDRAWCHT, of the east davach of the land of Conynges. [1281-1298.]

OMNIBUS Christi fidelibus hanc cartam visuris uel audituris, Gilbertus de Glencarny, salutem in Domino : Noueritis me dedisse, concessisse, et hac presenti carta mea confirmasse Duncano de Feryndrawcht in libero maritagio cum Marioria filia mea, et heredibus de eis exeuntibus, orientalem dauatam terre de Conynges, per suas rectas diuisas, in tenemento de Abirnythyn, cum homagio et seruicio tenentis mei dauate terre de Westir Coninges, et cum omni iure et dominio michi aut heredibus meis quocumque casu competituro, tam in dicta dauata terre quam in tenente eiusdem ; quam, videlicet, dauatam Cecilia filia quondam domini Willelmi Ruffi, militis, de me tenet in feodo et hereditate, pro homagio et seruicio : Tenendam et habendam dictis Duncano et Mariorie et heredibus suis predictis, in libero maritagio, cum omnibus suis aysiamentis, libertatibus, pertinenciis et pertinere valentibus, in bosco et plano, in pratis et pascuis, moris et marisiis, aquis et molendinis, stagnis et lacubus, aucupacionibus et venacionibus, adeo libere, quiete, plenarie et honorifice, sicut aliquis in regno

Scocie aliquam terram in libero maritagio ex dono et concessione alicuius baronis liberius, quiecius, plenius, et honorificencius habeat, teneat, siue possideat: Ego vero Gilbertus predictam terram de Conynges, cum homagio et seruicio tenentis supradicti de Westyr Conynges et omnibus aliis prenominatis, dicto Duncano et Mariorie sponse sue predicte, ac heredibus de eisdem exeuntibus, ego Gilbertus et heredes mei contra omnes homines warantizabimus, acquietabimus, et defendemus in perpetuum: In cuius rei testimonium presentem cartam sigilli mei munimine roboraui; hiis testibus, venerabilibus patribus, dominis Dei gracia Archebaldo et Henrico episcopis Morauiensi et Aberdonensi, dominis Reginaldo le Chen et Willelmo de Dolays, militibus, magistris Willelmo de Cressewell cancellario Morauiensi, domino Johanne de Dunde, prebendario de Duffhus, Laurencio de Strathbolgy, A . . . filio Stephani, Johanne Walensi, Roberto de Jonistoun, Gilberto de Glencarny filio, et multis aliis.

12. Grant by Malise Earl of Strathern in favour of Sir Gilbert of Glenkerny. 26th June 1306.

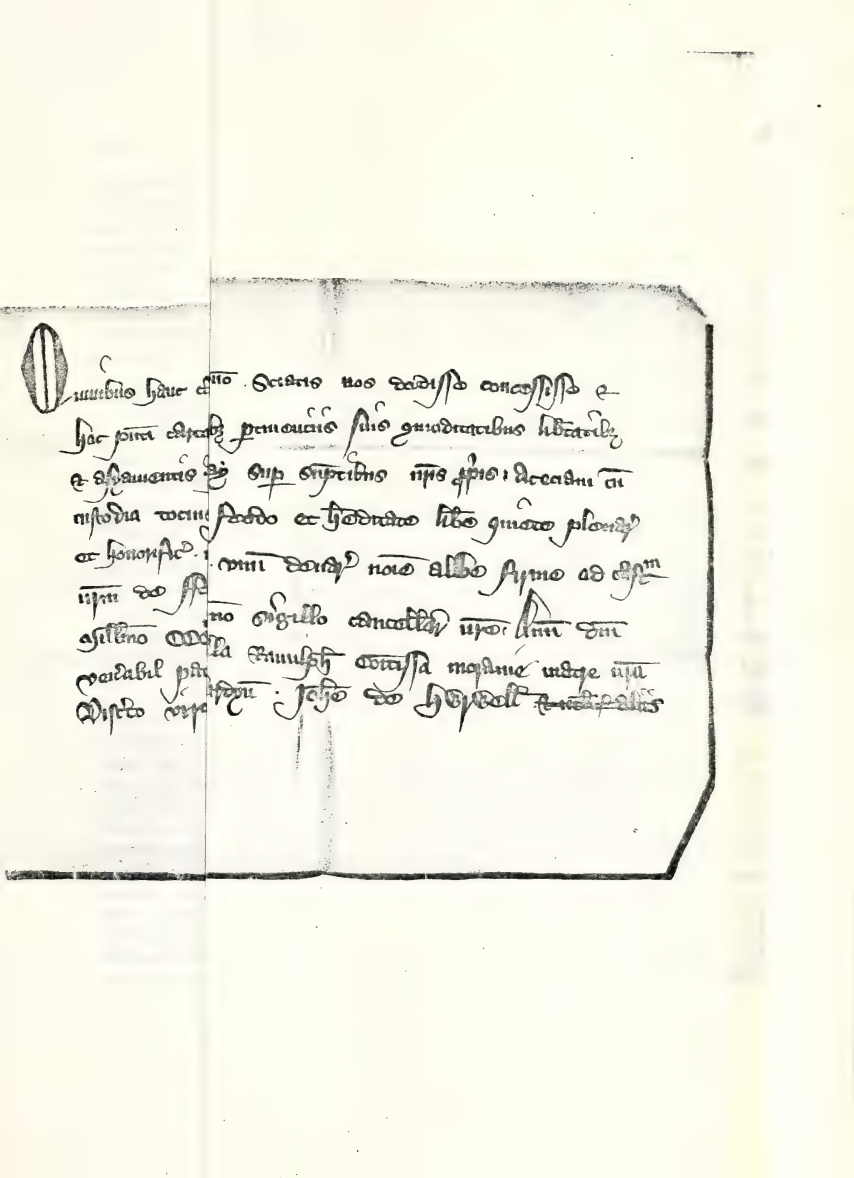
Vniuersis presentes literas visuris uel audituris, Malisius Comes de Stratheren, salutem in Domino sempiternam: Pro eo quod dominus Gilbertus de Glenkerny pater, dilectus noster et specialis, de tam bono affectu nobis seruicium suum prestitit corporale, adherendo nobiscum et commorando cum vi sua et potencia in guerra Scocie, contra tenorem carte sue de tenemento suo de Glenkerny quod de nobis tenet; volumus et concedimus et protestamur, pro nobis et heredibus nostris, quod illud seruicium taliter nobis impensum nullum sibi uel heredibus suis aut tenori carte sue in posterum faciet nec generabit preiudicium, nec etiam erit in aliquo tempore nobis seu heredibus nostris debitum aut consuetum, nisi ad voluntatem ipsius domini Gilberti aut heredum suorum: In cuius rei testimonium presentibus literis sigillum nostrum apposuimus. Datum aput Perth, die dominica proxima post festum Sancti Johannis Baptiste, anno gracie millesimo tricentesimo sexto.

13. Charter by John Randolph, Earl of Moray, to John the Grant, of the land of Dovely, with the keeping of the Castle of Tarneway. 1st April 1346.

Omnibus hanc cartam visuris vel audituris, Johannes Ranulphi, comes Morauie, dominus Vallis Anandie et Mannie, salutem in Domino: Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto et fideli nostro Johanni le Grawnt et heredibus suis, totam terram de Dovely cum omnibus pertinenciis suis, commoditatibus, libertatibus et asyamentis quoquomodo spectantibus, seu spectare valentibus in futurum, vna cum custodia turris nostre et manerii nostri de Tarneway, super sumptibus nostris propriis, ac eciam cum custodia tocius foreste nostre extra parcum nostrum: Tenendam et habendam dicto Johanni et heredibus suis de nobis et heredibus nostris, in feodo et hereditate, libere, quiete, plenarie

Omnibꝫ ꝫ ſtudiis hanc cartam
niet ſcti-maſſe Almenno de ſcty
p duas ſeccas damſas in tenement
hereditar aver ſeruic eiſd ꝑcern
de ye reuer in ſtoud & redeunt p h
Almeriꝰ liberalis ꝓnēcis & ꝓnē c
ſides hte here plenaꝫ & honorifice
& honorificencis habeat tenere en
& omnib aliis ꝓuiatis/ dō Almeri
zabim dcrabim & defendendmſ i
dīne dei gra archiepatus & hen
ꝓnen. Hiis ſcte de Almde ꝓbr
filio & oſtaſ alīs.

Omnibꝫ ꝑ ſcriptꝫ hanc Cartam viſur̄ vel audituꝫ Gilbertus de Glencarny ſalutē in dño. Nouerit me dediſſe gꝛaſſiſſe & hac ꝑſenti Carta mea confirmaſſe Dunecano de ſeyndlabech in libo maritagio ei⁹ filia ſua & hedibꝫ de eo exeuntibꝫ oppidum⁹ dimidiā tꝛā de Conyngee ꝑ omnes ꝓcuꝛ⁹ diuiſas in tenemento de Glenythyn ei⁹ homagio & ſeruicio tenend⁹ ſua & hedibꝫ de eo exeuntibꝫ dimidiā tꝛā de Weſtconyngee. & ei⁹ omn⁹ mꝛe & dominio in dict⁹ hedibꝫ ſuis q̄mdiu eis placuꝛit ſolu⁹ tam in dict⁹ dimidia tꝛa q̄m in tenemē⁹ eiuſd⁹. quia Godchaer dimidiā Ocaha filia quondā dñi Gilli Chriſti milit⁹ de qꝛ tenet in feodo & hereditate ꝑ homag⁹ & ſeruic⁹. Tenend⁹ & habend⁹ dict⁹ Dunecano & maꝛioꝛie & hedibꝫ ſuis ꝑdict⁹ in libo maritag⁹ ei⁹ cum⁹ ſuis ꝓ ſuis liberalib⁹ p̄ficuis & p̄tine ualentib⁹ in boſco & plano in ꝑꝛis & ꝑſcuis. aquis & aquaꝛiis ad⁹ & ꝓtend⁹. ſtagnis & locis. ſuis piſcaꝛiis & ſeruicijs hoc ſcꝛto ſuo ꝓtend⁹ & honoꝛifice. Erant aliq⁹ in Regno Scocie aliqua tꝛa in libo maritag⁹ ex dono & ꝓceſſione alicui⁹ baronis libꝫ q̄ens plenius & honoꝛificentius habeat tenere & ſibi poſſideat. Ego vero Gilbertus ꝓdict⁹ dimidiā tꝛam de Conyngee ei⁹ homag⁹ & ſeruic⁹ tenentis ſuꝑdict⁹ de hedibꝫ ſuis ꝓ ſuis liberalib⁹ & ꝓficuis dict⁹ Dunecano & maꝛioꝛie ꝓpꝛis & hedibꝫ de eis exeuntib⁹ ſic ꝓtend⁹ ſuis ꝓ omnib⁹ ſeꝛuic⁹ exactionib⁹ & demandis warantizabim⁹ acquietabim⁹ & defendemus imperpetuū. In cuius rei teſtimoniū ꝑſenti Carte ſigillū mei armoꝝ apponi feci. Hiis teſtib⁹ Gilleſpico⁹ ꝑdict⁹ dñi Regis Camerario de Lochmaben & Johāne ſenſchall⁹ eiuſd⁹ & Waldeno. Dñis Reginaldo le Chen & Willo de Vaux militib⁹. magiſtꝛo Willo de Creſſyngham canonico Glasguen. Dño Johe de Dunde plebano de Dunſſyne. Laurencio de ſeyndlabech. Adā fil⁹ Stephani. Johe Galeni. Rob⁹ de Jonſtoun. Gilleo de Glencarny filio & aliis multis.



Omnibus hanc cartam visuris vel audituris Johannes Hamilton comes Wigtonie . Dominus Vallis Annandie & Eskdalie . Salutem in Domino sempiternam . Noverit universitas vestra nos dedisse concessisse & hac presenti carta nostra confirmasse dilecto ac fideli nostro Johanni de Stirling & heredibus suis totam illam do Orchard cum omnibus pertinentiis suis quondam tenentibus libertatibus & asiamentis quibuscumque spectantibus seu spectare valentibus infra villam & territorium de Dumfreis Habendum tenendum & habendum totum & integrum predictum orchard cum suis pertinentiis ut premittitur prefato Johanni & heredibus suis de nobis & heredibus nostris in feodo & hereditate libere quiete plenarie & honorifice in omnibus quemadmodum tam nos nostri quondam tenentes nobis & heredibus nostris ullum de servitio in facto pertinentes de premissis seu omnia alia onera exacta seruitia vel demanda . Quod ut sub nostro sigillo una cum sigillo nobilis & potentissimi domini Regis Scotie primo nec non gentis Anglie tutelatoris curatoris & protectoris in hac parte Quo omnino ad hec specialiter vocati & rogati fuimus apponi fecimus . Apud Edgar primo die mensis Decembris anno domini millesimo quingentesimo octogesimo tertio coram his testibus Johanne Hamilton de Orbiston militibus Johanne Hamilton de Kincavill Johanne Hamilton de Grange Johanne Hamilton de Mayfield Johanne Hamilton de Pardovan Johanne Hamilton de Bardrochat Johanne Hamilton de Kilbrachmont Johanne Hamilton de Kilbrachmont Johanne Hamilton de Kilbrachmont

et honorifice, in omnibus commoditatibus tam non nominatis quam nominatis: Reddendo inde nobis et heredibus nostris dictus Johannes et heredes sui vnum denarium nomine albe firme, ad castrum nostrum de Forays in festo Pentecostes, si petatur, pro omni alio seruicio, exactione seculari vel demanda. Data sub magno sigillo cancellarie nostre, anno Domini millesimo cccmo quadragesimo sexto, apud Elgyn, primo die mensis Aprilis; testibus, reverenda domina domina Isabella Ranulphi comitissa Morauie, matre nostra, venerabili patre in Christo domino Symone Dei gracia abbate de Kynlos, discreto viro domino Johanne Wysy, priore de Pluskardyne, Johanne de Hwrwell, discreto viro domino Johanne de Dychtoun, subdecano Morauiensi ac cancellario nostro, et multis aliis.

14. Charter by William sixth Earl of Ross to John Scot, burgess of Inverness, of an Annualrent from the lands of Culclochy. 12th November 1358.

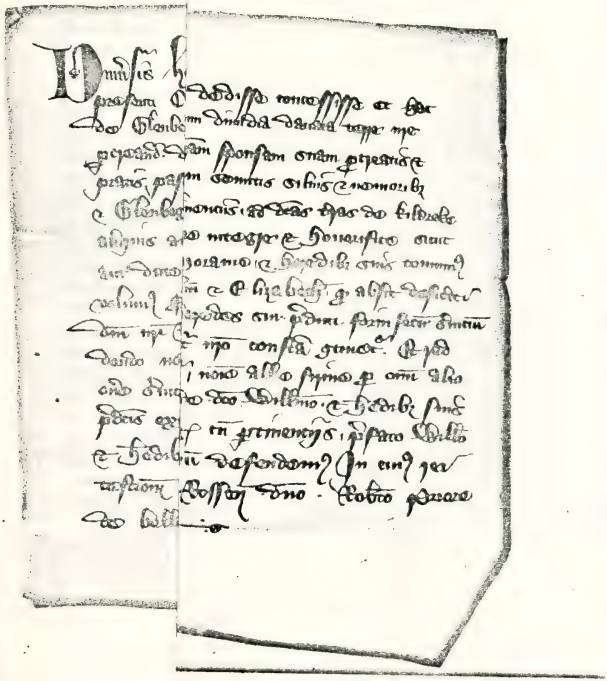
Omnibus hanc cartam visuris vel audituris, Willelmus Comes de Rosse ac dominus de Sky, filius et heres domini Hugonis de Rosse, comitis quondam eiusdem, salutem in Domino sempiternam: Nouerit vniuersitas vestra nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto et benemerito ac fideli nostro Johanni Scot, burgensi de Inuernys, pro suo fideli seruicio nobis impenso, totum annuum redditum nostrum nobis de iure debitum de terris de Culclochy infra Strathnarryn, in comitatu Morauie, ac etiam omne ius nostrum et clameum que nobis competunt seu competere poterunt in futurum quouis modo, aut que heredes seu successores nostri aliquo tempore in futurum habere poterunt in premissis: Tenendum et habendum de nobis et heredibus nostris dicto Johanni Scot, heredibus suis et assignatis inperpetuum, totum predictum annuum redditum de Culclochy, libere, quiete, integre et honorifice, cum omnimodis suis pertinenciis, commoditatibus et aysiamentis: Reddendo inde ipse Johannes, heredes seu assignati sui, nobis et heredibus nostris, vnam libram cumini nomine albe firme, annuatim ad festum Pentecostes, apud Inuernys, tantum, pro omni alio onere, seruicio, consuetudine, exactione seu demanda; et faciendo domino nostro regi hoc quod de iure facere tenetur de tali redditu annuali: Et nos Willelmus Comes de Rosse antedictus et heredes nostri totum predictum annuum redditum de Culclochy cum pertinenciis, prefato Johanni Scot, heredibus suis et assignatis, in omnibus et per omnia, vt supradictum est, contra omnes homines et feminas warandizabimus, acquietabimus, et inperpetuum defendemus; renunciando pro nobis, heredibus et successoribus nostris inperpetuum ibidem et etiam per presentes, omni iuri, clameo, et actioni, que et quam habuimus, habemus vel habere poterimus, ac que et quam aliqui heredes seu successores nostri habebunt vel habere vnquam poterunt in eodem annuo redditu supradicto: In cuius rei testimonium sigillum nostrum auctenticum presenti carte nostre fecimus apponi: Datum apud manerium nostrum de Delgeny, duodecimo die mensis Nouembris, anno ab incarnacione Domini millesimo trecentesimo quinquagesimo octauo; hiis testibus, venerabili patre nostro in Cristo

domino Alexandro Dei gracia episcopo Rossensi, reuerendo in Cristo patre [eadem] gracia fratre Donnaldo abbate Noue Ferine, fratre nostro Johanne de Rosse; discreto viro consanguineo nostro, archidiacono Rossensi, magistro Thoma de Vrchard; consanguineo nostro, Ade de Vrchard vicecomite de Crombathy, fratre suo; discretis viris domino Johanne Derlyng, precentore Cathanensi, magistro Willelmo de Dyngvale canonico Rossensi, Johanne de Tarrel domino de Ruthy, consanguineo nostro Roberto de Monro, Willelmo de Clyne, et multis aliis.

15. Charter by Patrick the Grant, Lord of Stratharthoc, to his son-in-law William Pilche, of a davach of Kildreke and a half davach of Glenbeg. [1357-1362.]

Vniuersis hoc scriptum visuris vel audituris, Patricius la Grawnt, dominus de Stratharthoc, salutem in Domino sempiternam: Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto genero nostro Willelmo dicto Pilche, burgensi de Inuernysse, totam illam dauatam terre nostre de Kyldreke, cum dimidia dauata terre nostre de Glenbeg cum pertinenciis, iacentes infra terras nostras de Inueralyane: Tenendas et habendas predicto Willelmo et heredibus suis inter ipsum et Elizabeth filiam nostram, sponsam suam, procreatis et procreandis, de nobis et heredibus nostris in perpetuum, per omnes rectas metas et diuisas suas, in boscis et planis, moris, maresiis, stagnis et aquis, in viis, in semitis, siluis et nemoribus, pratis, pascuis et pasturis, in piscariis, venacionibus et aucupacionibus, cum molendinis et bracinis, et cum omnibus aliis libertatibus, commoditatibus, aysiamentis et iustis pertinenciis ad dictas terras de Kildreke et Glenbeg cum pertinenciis spectantibus, seu spectare valentibus in futurum, in terra et super terram, tam non nominatis quam nominatis, adeo libere, quiete, plenarie, integre, et honorifice sicut aliquis antecessor noster dictas terras de Kildreke et Glenbeg cum pertinenciis de domino nostro Rege tenuit, aut nos easdem de Thoma comite Morauie et heredibus suis tenuimus, aut dicte terre cum pertinenciis liberius teneri poterunt de aliquo domino nostro superiori quem esse contigerit in futurum: Si vero de heredibus inter prefatos Willelmum et Elizabeth, quod absit, defecerit, volumus quod dicte terre de Kildreke et Glenbeg cum pertinenciis ad nos et heredes nostros integre reuertantur: Faciendo inde dictus Willelmus et heredes sui predicti forinsecum seruicium domini nostri Regis quantum ad dictas terras de Kildreke et Glenbeg cum pertinenciis pertinet, secundum quod in carta infeodacionis de Inueralyane patri nostro concessa continetur; et reddendo nobis et heredibus nostris annuatim dictus Willelmus et heredes sui, vt promittitur, vnum denarium argenti tantum, ad festum Pentecostes si petatur, nomine albe firme, pro omni alio onere, seruicio seculari, exactione vel demanda; que vel quod de dictis terris de Kildreke et Glenbeg cum pertinenciis per nos et heredes nostros de dicto Willelmo et heredibus suis predictis exigi poterunt vel quoquomodo demandari: Nos vero antedictus Patricius et heredes nostri dictas terras de Kildreke et Glenbeg cum pertinenciis

prefato Willelmo et heredibus suis inter ipsum et prenominatam Elizabet procreatis et procreandis, in omnibus et per omnia, warantizabimus, acquietabimus, et in perpetuum defendemus. In cujus rei testimonium presenti carte nostre sigillum nostrum apposuimus;



Omnibus hoc scriptum visuris vel audituris Petrus de Gallone dominus de Cryspiaco et de Bellavalle salutem in domino sempiternam. Noverit nos dedisse concessisse et hac presenti carta nra confirmasse Deo quoque nro Willelmo abbi nro Bellevallis Lingonis dioc. totiq; illum conventum tempe nro de Glenlegs unu grimond tritorios inpe tempe nros de Symilliano. et unu de Hebdil de Patmo Willmo de Hezedul ore mr pm et Hebdil filiis eor ordinis prepositi de nobis et hered nris in pasturis et omnes libertates motas et omissas subtus in bosis et plenis, aquis aquarijs et pertis, pascuis et pastinis in pratis cornalibus et aumentis, in molendinis et hiatemis cum omnib alijs libertatib ad predictas tres grimondas et ad tres tras de Glenlegs unu grimondu spectantib. ab antiquo et ab omni tempe cum omnib alijs libertatib ad predictas tres grimondas spectantib. sicut alijs antecessor. nostri dicte tras de Glenlegs unu grimondu de dno nro Rege tenuit et nos eas de dno nro Rege tenemus et habemus in liberis puris et perpetuis elemosinis. Libe tenend predict tras alijs dno nro conventui dicti loci de Bellevallis et Glenlegs unu grimondu de nobis et hered nris in

prefato Willelmo et heredibus suis inter ipsum et prenominatam Elizabet procreatis et procreandis, in omnibus et per omnia, warantizabimus, acquietabimus, et in perpetuum defendemus: In cuius rei testimonium presenti carte nostre sigillum nostrum apposuimus; hiis testibus, venerabili in Christo patre ac domino, domino Alexandro Dei gracia episcopo Rossensi, domino Roberto priore de Bello Loco, Johanne de Haya domino de Tulibothvile, Laurentio Corbet et Johanne Corbet, ac multis aliis.

16. CHARTER by JOHN SKINNER, burgess of Inverness, to JOHN called SCOTTE,[1] burgess thereof, of his land and houses in Inverness. *Circa* 1360.

OMNIBUS hoc scriptum visuris vel audituris, Johannes dictus Pelliparius, burgensis de Inuirnisse, filius et heres Johannis quondam corigiarii, eternam in Domino salutem: Noueritis me concessisse, et ad feodifirmam dimisisse Johanni dicto Scotte, burgensi de Innirnis, totam illam terram cum edificiis et pertinenciis suis in dicta villa, in longitudine iacentem inter terram Alexandri dicti Pilche, ex parte occidentali, et vicum regium dictum viam Ecclesie ex parte orientali, et se extendit in latitudine vsque ad terram Hugonis dicti Boyde versus boream, et viam Pontis prenominatam versus austrum: Habendam et tenendam dicto Johanni Scotte, heredibus suis et assignatis suis, de me et heredibus meis, libere, quiete, bene et in pace, in feodo et hereditate in perpetuum: Faciendo inde domino nostro Regi et burgo dicte ville de Inuirnisse in vicinitate omnia seruicia inde debita et consueta; et reddendo inde annuatim michi et heredibus meis tresdecim solidos sterlingorum et quatuor denarios argenti vsualis monete, ad terminos Pentecostes et Sancti Martini in hyeme, per equales porciones, pro omnibus aliis seruiciis terrenis tantum: Et ego Johannes dictus Pelliparius et heredes mei totam predictam terram cum edificiis et pertinenciis suis omnibus predicto Johanni Scotte, heredibus et assignatis suis predictis, pro predictis seruiciis tantum, contra omnes homines et feminas warantizabimus, acquietabimus, et in perpetuum defendemus: Et ad omnia et singula supradicta firmiter et fideliter obseruanda, pro me et heredibus meis, fidem prestiti corporalem, subiiciendo me et heredes meos iurisdictioni dominorum episcopi et decani cum capitulo Morauiensi, vt liceat eis seu eorum alteri a nobis seu nostrum quocunque centum libras argenti immediate leuare, huic scripto contradicente seu contradicentibus in aliquo, et nos pro eisdem districte compellere; nichilominus presente scripto inuiolabiliter in suo robore duraturo. In huius testimonium huic scripto sigillum meum apposui: Et quia sigillum meum minus extat cognitum, ad huius scripti maiorem roboracionem et securitatem, sigilla Alexandri dicti Pilche, aldromanni, Alexandri dicti Yrinpurs, Simonis de Diggeual, et Willelmi de Grenlau, balliuorum dicte ville, Willelmi

[1] John Scott was Custumar of Inverness in 1364. His ship was hired in 1366 and 1369 to carry timber from Inverness for building the Church of Saint Monans, in Fife. [The Exchequer Rolls of Scotland, vol. ii. pp. 196, 243, 329.]

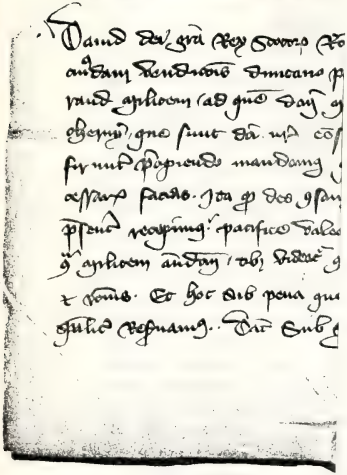
dicti Pilche, clerici, Johannis dicti Tinctoris, Johannis Ellotsoun, dicte ville conburgensium, ad hoc specialiter per me requisitorum, vna cum sigillo communi dicte ville iuxta meum presenti scripto apponi procuraui et feci; hiis testibus, Willelmo de Sticlau, Galfrido filio Betti, Willelmo Rose, Willelmo Dicsoun, Rogero Pollok, Thoma dicto Dyll, Alexandro filio Laurencii, et aliis.

17. Charter by King David the Second to Gilbert of Glencharny, of the barony of Glencharny. 18th January [1362].

David Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem: Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto et fideli nostro Gilberto de Glencharny omnes terras baronie de Glencharny cum pertinenciis, in comitatu Morauie infra vicecomitatum de Inuernyss: Quasquidem terras cum pertinenciis predictus Gilbertus, non vi aut metu ductus, nec errrore lapsus, set mera et spontanea voluntate sua, nobis per fustum et baculum sursum reddidit, pureque et simpliciter resignauit, ac totum ius et clameum quod in dictis terris habuit vel habere potuit in futurum, pro se et heredibus suis, omnino quietum clamauit in perpetuum: Tenendas et habendas eidem Gilberto et heredibus suis de corpore suo legitime procreandis, viz., masculis, quibus heredibus masculis fortasse deficientibus, Duncano Fraser et Cristiane sponse sue, sorori dicti Gilberti, ac eorum diucius viuenti, et heredibus masculis de eorum corporibus legitime procreandis, et ipsis deficientibus, heredibus dicti Gilberti linealiter descendentibus, in feodo et hereditate, per omnes rectas metas et diuisas suas; cum omnibus libertatibus, commoditatibus, aysiamentis et iustis pertinenciis quibuscunque, ad dictas terras spectantibus, seu quoquomodo iuste spectare valentibus in futurum; adeo libere et quiete, plenarie, integre et honorifice, in omnibus et per omnia, sicut predictus Gilbertus ante resignationem suam nobis de dictis terris factam, vel aliquis antecessor eiusdem Gilberti dictas terras cum pertinenciis liberius, quiecius, plenius, integrius, et honorificentius juste tenuit seu possedit: Faciendo de dictis terris seruicia debita de eisdem et consueta. In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi; testibus, venerabilibus in Christo patribus, Alexandro episcopo Abirdonensi et Patricio episcopo Brechinensi, cancellario nostro, Roberto senescallo nostro Scocie, comite de Stratherne, nepote nostro, Willelmo de Keth, marescallo nostro Scocie, Roberto de Erskyne, et Waltero Moygne, militibus; apud Abirden, xviij^{no} die Januarii, anno regni nostri tricesimo tercio.

18. Procuratory by John of Hay, Lord of Tulybothill, for infefting Gilbert of Glenkerny in the lordship of Glenkerny. 4th March 1364.

Vniuersis ad quos presentes litere [peruenerint Johannes] de Haia, dominus de Tolybotvyll et vicecomes de . . . . salutem in Domino: Nouerit vniuersitas vestra nos fecisse,



Dauid dei gra Rex Scottor Robto filio dnicam de arthelia Salt. Sp certas euidencias nob nup oblatas vocatum ppos
audiam scandalum dnicano pat eius fec de maritagio dilti gsanguis upi gilleb de glouecestria p hanpotium gilleb
uauid apliorem ad quo dam ejaetagium dc audmung. & millarenq pmebat. & destruc. & destruc suas dilas decidem-
bus, quo sunt dā upi cōsanguis Juris ordio in omnib; pdmisso. Nos & ip sius & fidelitatem, quib; nob teneris
fir nup pcipiendo mandamq quatin a quibuscūq detinctoribq & pturbatoribq dās dras debeat interdio & sine cessio &
essatis facdo. Ita q dcs gsanguis in & hereds sui suas dras & possessionib; quas de eis ond upi gratia pcurare teneat-
ptenat reaptuq. pacifice valeat congaudere & si aliqd dcs in ejaetagio dā upi gsanguis aut ad eū ptin nol
q apliorem audiay / vbi debeat ppdo. Illud cora nob & cosilio nro prosequens, eo & inde fiet quod Juris fuerit
& rones. Et hoc dib pena quo ejusdo pcepto pruisti. nullo modo omitas. Illum nap compar ad ostendam audiend
ostulet respuand. Dat sub Sigillo upo pcepto apud Edyn. xxv. die ejusdē apl Anno regni nri xxxo Sigillo.

constituisse, et per presentes ordinasse M^cCrachter M^cYoin marum et substitutum nostrum ac . . . storem in hac parte, ad prestandum Gilberto de Glenkerny, auctoritate domini nostri Regis et nostra, statum, possessionem, et saisinam dominii [de] Glenkerny, cum omnibus suis iuribus, libertatibus, commoditatibus, aysiamentis, et pertinenciis vniuersis ad dictum dominium spectantibus seu quoquomodo spectare valentibus in futurum : Ratum et gratum habentes et habituri quicquid idem noster substitutus duxerit faciendum in hac parte; dantesque eidem plenam potestatem faciendi singula que in huiusmodi negocio de iure uel consuetudine requiruntur. In cuius rei testimonium sigillum nostrum presentibus est appensum ; aput Inuernys, quarto die mensis Marcii, anno Domini millesimo ccc^mo sexagesimo quarto.

19. Letters under the Privy Seal of King David the Second, inhibiting Robert, son of Duncan of Athole, from wasting the lands of Glenchernyn. 20th April [1367].

Dauid Dei gracia Rex Scottorum, Roberto filio Duncani de Atholia, salutem : Ex certis euidenciis nobis nuper ostensis concepimus, quod racione cuiusdam vendicionis Duncano patri tuo facte de maritagio dilecti consanguinei nostri Gilberti de Glenchernin per Laurencium Gelibrand, militem, ad quem dictum maritagium, vt audiuimus, nullatenus pertinebat, destruis et destrui facis terras de Glenchernyn, que sunt dicti nostri consanguinei. iuris ordine in omnibus pretermisso : Quare tibi, in fide et fidelitate quibus nobis teneris, firmiter precipiendo mandamus quatenus a quibuscunque destructionibus et perturbacionibus dictis terris decetero inferendis omnino cesses et cessare facias, ita quod dictus consanguineus noster et homines sui suis terris et possessionibus, quos et quas sub nostra speciali protectione tenore presencium recepimus, pacifice valeant congaudere ; et si aliquod ius in maritagio dicti nostri consanguinei aut alias contra eundem uel contra militem antedictum, tibi videatur competere, illud coram nobis et consilio nostro prosequaris ; et tibi inde fiet quod iuris fuerit et racionis : Et hoc sub pena que exinde poterit prouenire nullo modo omittas : Illam namque causam ad nostram audienciam specialiter reseruamus. Datum sub sigillo nostro secreto, apud Elgyn, xx^mo die mensis Aprilis, anno regni nostri tricesimo septimo.

20. Charter by Marjory Countess of Moray, and Thomas of Dunbar, Earl of Moray, to Gilbert of Glencherny, of the two Fochabers, in excambion for the lands of Glencherny. 15th February 1391.

Omnibus hanc cartam visuris vel audituris, Marioria comitissa Morauie, et Thomas de Dunbarre comes Morauie, filius et heres quondam domini Johannis de Dunbarre comitis Morauie et dicte domine Mariorie, salutem in Domino : Noueritis nos, vnanimi consensu et assensu, habito super hoc diligenti tractatu et sufficienti, pro recompensacione et in escambio omnium terrarum de Glencherny cum pertinenciis, in comitatu Morauie infra vicecomitatum

de Inuyrnysse, dedisse, concessisse, et hac presenti carta nostra confirmasse Gilberto de Glencherny totam terram nostram de duabus Fochabris, in predicto comitatu nostro Morauie, cum fortyris earundem, et terris ex vtraque parte aque de Spee ad dictas terras spectantibus, ac cum omnibus aliis rectis metis et diuisis ad terras predictas spectantibus seu spectare valentibus in futurum : Tenendam et habendam dicto Gilberto et heredibus suis vel assignatis, de nobis et heredibus nostris, in feodo et hereditate, cum molendinis, multuris, fabrili, bracina, moris, maresiis, viis, stangnis, aquis, siluis, pratis, pascuis et pasturis, piscariis, venacionibus, aucupacionibus, ac cum omnibus aliis commoditatibus et aysiamentis, et quibuscunque suis iustis pertinenciis, tam sub terra quam supra terram, ad dictas duas Fochabrys cum pertinenciis pertinentibus, seu pertinere valentibus in futurum : Reddendo inde dictus Gilbertus et heredes sui vel assingnati tres sectas ad tria placita nostra capitalia vicecomitatus de Elgyne nobis et heredibus nostris tantum, pro omni alio seruicio seculari vel demanda que de dictis terris exigi poterunt vel requiri ; saluo seruicio domini nostri Regis. Insuper damus et concedimus dicto Gilberto, causa predicta, totam terram de Mayne iuxta Elgyne, cum pertinenciis, pro toto tempore vite dicti Gilberti : Tenendam de nobis et heredibus nostris, cum omnibus suis metis et diuisis ac suis iustis pertinenciis, nichil inde reddendo pro tempore vite sue : Et volumus quod dicta terra de Mayne cum pertinenciis post decessum dicti Gilberti ad nos et heredes nostros libere revertatur. Nos vero Marioria et Thomas ac heredes nostri omnes predictas terras de Fochabrys cum pertinenciis dicto Gilberto et heredibus suis vel assingnatis contra omnes mortales, non obstante clameo dotis facte sponse nostre Margarete, cui alias terras, videlicet, de Dunkenedy et le Cayldecotys, damus et concedimus in recompensacionem dictarum terrarum, warandizabimus, acquietabimus, et in perpetuum defendemus : In cuius rei testimonium sigilla nostra presenti carte nostre precepimus apponi : Datum apud ecclesiam cathedralem de Elgyne, quinto decimo die mensis Februarii, anno gracie millesimo tricentesimo nonogesimo primo ; hiis testibus, reuerendo in Christo patre, domino Alexandro Dei gracia episcopo Morauiensi, venerabili in Christo patre domino Adam eadem gracia abbate de Kynlosse, viro reuerendo discreto magistro Willelmo de Camera, canonico ecclesie Morauiensis, nobilibus viris dominis Johanne de Gordowne domino eiusdem, et Roberto de Cheshelme domino eiusdem, militibus ; Willelmo de Camera clerico rotulorum, iusticiario domini nostri Regis ex parte boreali aque de Forthe ; discretis viris Adam Flemyng, Andrea de Caledore thano eiusdem, et Johanne filio Willelmi vic. de Elgyne, ac multis aliis clericis et laycis.

21. INDENTURE between THOMAS OF DUNBAR, EARL OF MORAY, and GILBERT OF GLENCHERNY, for the sale to the Earl of the two towns of Fochabers. 26th March 1398.

AT ELGYNE, the xxvj day of the moneth of March, the yhere of grace mcccIxxxx and viij, betvix a nobil lord and a mychty, Thomas of Dunbarre, Erill of Murreff, on the ta part, and Gilbert of

Glencherny, than lord of Fochabirris, tenand of that ilke land, with the pertinence, within the Erildome of Murreff, on the tothir part, it is accordit in the manere that folwis; that is to say, at that ilke Gilbert of Glencherny haff sauld and sellis throw there present letteris, frely, quitly, and perpetualy fra hym, his airis and his assignais, and al manere of man and woman that may chalance rycht be caus of hym, the tvai tounys of Fochabirre, liand in the Erildome of Murreff, and haldyn of the Erill of Murreff, liand on the est side of the wattire of Spee, with al thaire pertinence and fredomys, woddis and wattris, pasturis, and al vthir thyngis, als frely as thai ware his; that ilke Thomas of Dunbarre, Erill of Murreff, haldand and haffand thaim til hym, his airis and his assignais perpetualy: And the forsaide Thomas of Dunbarre, Erill of Murreff, sal giff to the saide Gilbert of Glencherny ane hundire pund of sterlingis of the vsuale monay of Scotland, in gold and siluer, at the termys folwand; that is to say, at the fest of Pasch nest folwand, the qwilk was the vij day of Aviril of that ilke yhere, of the date fornemyt, ten pund, and at the fest of apostlys Philip and Jacob nest efter folwand, ten pund, and at the fest of Qwitsounday nest folwand that, ten pund, and at the fest of Saynt Petir that is callit Lammes that follwis thare nest, ten pund, and at the fest of Saynt Martyne in to wyntir nest folwand, tventy pund, and at the fest of Witsounday, the yhere of grace mccclxxxx and ix, tventy pund, and at the fest of Saynt Martyne in to wyntir nest folwand that Witsounday, tventy pund: And in cas at that ilke Thomas of Dunbarre, Erill of Murreff, his airis or his assignais, faile of the payment of there soumys at ony of the termys befornemmyt to that ilke Gilbert, his airis or his assignais, or to the deputis the qwilkes that he makis, qwateuir thai be, fra fourty days be gane attoure ony of tha termys befor nemmyt, he, his airis or his assignais, sal pay to the saide Gilbert, his airis, assignais, or his deputis, ten marc in name of payne, ane with the principale soume of ilke terme at that defaut fallis in, as Gode forbede it do: And that ilke Gilbert giffis vp that ilke land of Fochabirris with al the pertinence, with staff and stik, intil the handis of that ilke Thomas of Dunbarre, Erill of Murreff, as oure lard: And that ilke Thomas of Dunbarre, Erill of Murreff, to the payment of the soumys at the termys befornemmyt and to the paynys, giff faut be, oblis him lelily and trewly, but fraude or gile, to fulfil, his airis, assignais, his landis and al his gudis, mobil and vnmobil, for to be distrenyt, but leve of ony iuge, outhir his awyn or ony vthir, at the wil of that ilke Gilbert, his airis or his assignais or deputis, qwat euir thai be, qwil thai be assithit als wele of thaire costis and thaire scathis as of the principale dett, giff thai haiff ony sustenyt. In the witnes of there thyngis to there indenturis made betvene thaim thai haff put thaire selys interchangeably

22. Resignation by Elizabeth the Grant, Lady of Stratharach, to James Mackintosh her son, of her right to the lands of Stratharach. 28th August 1419.

In Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab incarnacione eiusdem millesimo cccc^mo xix^no, mensis Augusti die xxviij^o, indictione

xij[a], pontificatus sanctissimi in Christo patris ac domini nostri domini Martini diuina prouidencia Pape quinti anno secundo: In subscriptorum dominorum presencia, scilicet, reuerendi in Christo patris ac domini, domini Roberti miseracione diuina episcopi Dunkeldensis, et Alexandri Senescalli comitis Marrie, meique notarii publici et subscriptorum testium, personaliter constituta nobilis mulier, Elizabeth ly Grant, domina de Stratharach, dixit palam et publice quod de dictis terris suis de Stratharich nulli fecerat alienacionis condicionem retroactis temporibus, verbo uel facto, preter quam tunc proposuit facere, et fecit filio suo carissimo Jacobo Makintoche, cui dedit extunc et concessit totum ius et cla[meum] iuris quod vnquam habuit, habet, uel habere potest in predictis terris de Strath[arich] cum pertinenciis, dicto Jacobo et heredibus suis, in feodo et hereditate imperpetuum; fide irreuocabili super hoc per eam prestita in manus predicti reuerendi in Christo patris; supplicando sue paternitati eum instancia quatenus dictum instrumentum suo sigillo pro maiori euidentia ro[boraret] comuniter: De in et super quibus omnibus et singulis prefatus Jacobus petiit a me notario publico sibi publicum conficere instrumentum: Acta fuerunt hec in magna camera castri de Kyndromy, hora secunda post prandium, anno, die, mense, indictione et pontificatu quibus supra; presentibus, nobilibus viris et dominis, Thoma Senescallo, milite, Jacobo Senescallo, Johanne de Abirnethti, Andrea de Cargil, Ricardo Bisate, Willelmo Sothirlande, magistro Donaldo M[c]Nauchane, thesaurario ecclesie Dunkeldensis, domino Michaeli Nory rectore de Aberloure, et Alexandro Brocla vicario de Alith, testibus ad premissa vocatis specialiter et rogatis.

Et ego Robertus Weddale, clericus [*etc.*]

23. Instrument of Resignation by Thomas Parkar to Sir William of Hay, knight, of the lands of Wormote. 4th March 1422.

In Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno ab incarnacione eiusdem millesimo quadringentesimo secundum cursum et computacionem ecclesie Scotticane vicesimo secundo, indictione prima, ac mensis Marcii die quarta, pontificatus sanctissimi in Christo patris ac domini nostri domini Martini diuina prouidencia Pape quinti anno sexto: In mei notarii publici et testium subscriptorum presencia personaliter constitutus prouidus vir, Thomas Parkar, burgensis ciuitatis Sanctiandree, ex certis et racionabilibus causis animum suum, ut asseruit, ad hoc mouentibus, non vi aut metu ductus, nec errore elapsus, sed sua mera et spontanea voluntate, in sua legali potestate, omnes terras de Wormote cum suis pertinenciis, iacentes in baronia de Auchnachtane, infra vicecomitatum de Fyffe, in manibus nobilis viri, domini Willelmi de Haya, militis, domini de Auchnachtane, sui domini superioris, per fustim et baculum sursum reddidit, pureque et simpliciter resignauit, a se et heredibus suis imperpetuum, prefato domino Willelmo de Haya, domino suo superiori, et heredibus suis imperpetuum; ac omni iuri et clameo quod dictus

Thomas Parkar habuit, vel habere potuit in futurum, in vel ad prefatas terras de Wormote cum pertinenciis suis, pro se et heredibus suis, coram me notario publico et testibus subscriptis penitus renunciauit imperpetuum: Insuper prefatus Thomas Parkar bona fide promisit, pro se et heredibus suis, michi notario publico, ut persone publice stipulanti et recipienti, vice ac nomine omnium quorum interest seu intererit in futurum, ad perpetuam rei memoriam, se ratum, gratum atque firmum perpetuis temporibus habiturum totum et quicquid circa predictas suas resignacionem et renunciacionem in presencia mei notarii publici et testium subscriptorum fecerat et fieri procurauit; ipsasque manutenebit, warantizabit et defendet, quocum iure poterit, contra omnes mortales imperpetuum, bona fide et sub ypotheca et obligacione omnium bonorum suorum, presencium et futurorum: Super quibus omnibus et singulis ibidem gestis, factis et recitatis, prefatus dominus Willelmus de Haya, miles, et dictus Thomas Parkar, per me notarium publicum infrascriptum sibi fieri pecierunt vnum vel plura, publicum instrumentum seu publica instrumenta: Acta fuerunt hec apud Sanctumandream, in domo habitacionis archidiaconi eiusdem, sub anno, indictione, die, mense et pontificatu supradictis: Presentibus ibidem venerabilibus viris et discretis, dominis Thoma Stewart, archidiacono supradicto, et Willelmo de Balmyle, rectore ecclesie de Abirbuthnot, Sanctiandree diocesis, Willelmo de Kynarde, Thoma Arthuri et Thoma Ramesay de Kernys, burgensibus ciuitatis Sanctiandree, cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Johannes Feldew, presbyter Sanctiandree diocesis, baccallarius in decretis, vicarius ecclesie parrochialis de Inuerkelore, publicus apostolica et imperiali auctoritatibus notarius [*etc.*].

24. CHARTER by ROBERT WAUS, burgess of Inverness, to ANDREW REDE, burgess there, of two roods of land in Inverness. 20th May 1426.

OMNIBUS hanc cartam visuris uel audituris, Robertus Waus burgensis de Inuernys, salutem in Domino: Noueritis me vendidisse, dedisse, concessisse et in liberum burgagium dimisisse, ac presenti carta mea confirmasse pro certa summa pecunie michi pre manibus plene et integre persoluta, de quaquidem summa teneo me bene pacatum et integre persolutum (mediantibus huic vendicioni consensu et assensu venerabilis in Christo patris domini Alexandri Waus Dei gracia episcopi Candide Case, Johannis Waus, Gilberti et Richardi Waus, fratrum meorum), Andree Rede eiusdem burgi burgensi, duas rodas siue perticatas terre iacentes ex parte orientali eiusdem burgi in vico qui ducit ad ecclesiam, inter terram Colini Sutoris ex parte australi, et terram predicti mei Roberti Waus ex orientali parte: Tenendas et habendas dictas duas perticatas terre, insimul et contigue iacentes, vna cum domo lapidea et edificiis . . . . eisdem iam constructis, predicto Andree Rede, heredibus suis et assignatis, a

me, heredibus meis et assignatis, pure et in perpetuum, libere et quiete, plenarie, integre et honorifice, bene et in pace, cum tota sua longitudine et latitudine, ac omnibus aliis libertatibus, commoditatibus, aysyamentis et ceteris pertinenciis quibuscunque ad ipsas duas perticatas siue rodas terre cum pertinenciis suis spectantibus, seu spectare valentibus quomodolibet in futurum: Reddendo inde annuatim predictus Andreas et heredes sui domino de Dryltoun . . . . duos solidos vsualis monete, et domino nostro Regi solitam firmam ad festum Penthecostes et Sancti Martini in yheme, per equales porciones, pro omni alio seruicio seculari, exactione uel demanda, que de dictis duabus perticatis terre cum pertinenciis exigi poterint aut requiri; saluo forinseco seruicio domini nostri Regis quantum ad dictas duas perticatas terre de iure pertinet: Et ego vero predictus Robertus Waus, heredes mei et mei assignati, predictas duas perticatas terre, vna cum domo lapidea et pertinenciis prefatis, predicto Andree Rede et heredibus suis, ut predicitur, contra omnes homines et feminas warantizabimus, acquietabimus, et in perpetuum defendemus. In cuius rei testimonium presenti carte mee sigillum meum apposui, et pro maiori securitate premissorum sigillum premissi reverendi in Christo patris, sigillum commune burgi prelibati, sigillum dicti Johannis Waus, ac sigilla Johannis Blak, Johannis Richardi, et Johannis Michaelis, tunc balliuorum predicti burgi de Inuernys, sunt appensa. Datum apud Edynburch, vicesimo die mensis Maii, anno Domini millesimo cccc° vicesimo sexto; presentibus, nobili domino domino Thoma Senescalli vicecomite de Inuernys, Waltero filio Andree, Johanne de Grant, Laurencio Carane, Willelmo Thomsone, Donaldo Fabro, fratre Thoma de Vchyltre, priore Fratrum Predicatorum de Inuernys, domino Roberto vicario eiusdem, et multis aliis testibus ad premissa vocatis specialiter et rogatis.

25. Precept of Sasine by King James the First in favour of Duncan the Grant, son of Matilda of Glencherny, of the fifth part of the barony of Rothes Wiseman and Burnemikty. 31st January [1434].

Jacobus Dei gracia Rex Scotorum, vicecomiti et balliuis suis de Elgine, salutem: Quia per inquisicionem de mandato nostro per vos factam, et ad capellam nostram retornatam, compertum est quod quondam Matilda de Glencherny, mater Duncani le Grant, latoris presencium, obiit ultimo vestita et saisita vt de feodo, ad pacem et fidem nostram, de quinta parte baronie de Rothes Wiseman et Burnemekty cum pertinenciis, et de duabus Fochabris, et de dimidia parte de Surestoun cum pertinenciis, et de duabus marcis annui redditus annuatim leuandis de villa de Thornhil, infra balliam vestram: Et quod dictus Duncanus est legitimus et propinquior heres eiusdem quondam Matilde, matris sue, de dictis terris et annuo redditu supradicto; et quod est legitime etatis; et quod dicte terre et annuus redditus cum pertinenciis de comite Morauie tenentur in capite, qui comitatus in manibus nostris iam existit: Vobis precipimus et mandamus quatenus dicto Duncano, uel suo certo actornato,

latori presencium, saisinam dictarum terrarum et annui redditus cum pertinenciis iuste haberi faciatis, et sine dilacione; saluo iure cuiuslibet: Et hoc nullo modo omittatis: Teste meipso, apud Edinburgh, vltimo die mensis Januarii, anno regni nostri vicesimo nono.

26. CHARTER by NICOLAUS MAN, burgess of Inverness, to JOHN, son of ALEXANDER "MAGNUS," of a half tenement in Inverness. 4th February 1438.

OMNIBUS hanc cartam visuris vel audituris, Nicolaus Man, burgensis de Inuernys, eternam in Domino, salutem: Noueritis me dedisse, concessisse, et ad feodifirmam dimisisse, et hac presenti carta mea confirmasse Johanni, filio Alexandri Magni, dimidiam partem tenementi; que dimidia pars iacet in vico Ecclesie dicti burgi ex occidentali parte eiusdem vici, inter terram Laurentii Willelmi, quam de me tenet ad austrum, ex parte vna, et commune venale domini nostri Regis ad boream, ex altera; cuius frons extendit ad communem viam regiam uersus orientem et in cauda ad aquam de Nys uersus occidentem: Tenendam et habendam predictam dimidiam partem tenementi prefato Johanni, heredibus suis et suis assignatis, a me, heredibus meis et meis assignatis, imperpetuum, libere, quiete, integre plenarie, honorifice, bene et in pace; cum omnibus commoditatibus, libertatibus, et aisiamentis ac iustis suis pertinenciis quibuscunque, ad dictam dimidiam partem spectantibus, seu iuste spectare valentibus in futurum: Reddendo inde annuatim prefatus Johannes, heredes sui et sui assignati, michi, heredibus meis et meis assignatis, duos solidos vsualis monete, ad duos anni terminos infra burgum statutos, per equales porciones, et domino nostro Regi tres denarios et tres quadrantes annuatim tantum, pro omni alio onere, seruicio seculari, exactione seu demanda, que de dicta terra cum pertinenciis exigi poterunt uel requiri: Et ego vero Nicolaus Man prefatus, heredes mei et assignati, predictam dimidiam partem tenementi prefato Johanni, heredibus suis et suis assignatis, contra omnes homines mortales warantizabimus, acquietabimus, et imperpetuum defendemus: In cuius rei testimonium sigillum meum, vna cum sigillo Ranaldi Clerk, tunc temporis vnius balliuorum dicti burgi, cum instancia procurato, appendi feci: Et ad maiorem huius rei securitatem sigillum commune dicti burgi per me procuratum est appensum; apud dictum burgum, quarto die mensis Februarii, anno Domini millesimo cccc° tricesimo octauo; presentibus ibidem, Johanne Grant, tunc temporis preposito, Donaldo Fabro et Hugone Clerk, duobus balliuorum tunc temporis, Andrea Rede, Laurentio Carrane, Johanne Blak, Andrea Grame, Thoma Tailzeour, Patricio Fergusii, Waltero Andree, Johanne Methisoun, burgensibus dicti burgi, et aliis pluribus.

27. NOTARIAL INSTRUMENT regarding Sasine of the lands of Gaych and others, given to ELIZABETH and MARJORY PILCHE. 11th May 1445.

IN Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno a natiuitate Domini millesimo quadringentesimo quadragesimo quinto, vnde

cima vero die mensis Maii, indictione octaua, pontificatus sanctissimi in Christo patris ac domini nostri, domini Eugenii diuina prouidencia Pape quarti anno quinto decimo: In mei notarii publici aliorumque testium subscriptorum ad hoc specialiter vocatorum et rogatorum presencia, personaliter constitutus nobilis vir, Valterus de Douglass, dominus de Cramunde, per peticiones et requisiciones honorabilis Patricii Fergusii, burgensis de Inuernis, penes terras de Gaych, Drekky, et de Glenbeg, earumque statum et possessionem alias per ipsum datos: Quiquidem Valterus asseruit quia sibi pium et meritorium esset verum et fidele testimonium perhibere veritati, ex eo quod occultacio veritatis dampnum aut preiudicium generaret innocenti, publice confessus est et dixit quod ipse, in tempore magnifici domini bone memorie, Thome de Dumbarre, quondam comitis Morauie, vicecomes de Elgyn per dictum dominum comitem extitit ordinatus: Quiquidem dominus comes, vt asseruit dictus Valterus, quod quasdam inquisicionis literas predictarum terrarum de Gaych, Drekky, et de Glenbeg, cum nobili armigero, Johanne de Narryn, quondam domino de Cromdale, etiam procuratore Elyzabeth et Margeorie, filiabus bone memorie Willelmi Pylch, quondam dictarum terrarum domini, ad predicte ville de Elgyn vicecomitatus curiam capitalem pro dictarum terrarum inquisicione facienda admittebat: Post cuiusquidem inquisicionis administracionem huiusmodi, vt asseruit, factam, quod cum prememorato domino comite usque ad Glencherny equitauit; et in suo redditu quod predicto Johanni de Narryn, tanquam vero legitimo et indubitato procuratori dictarum Elyzabeth et Margeorie, statum et sasinam hereditariam dictarum terrarum, per terre lapidisque tradicionem, tribuit et donauit, suo procuratorio et potestate ad hoc petendum et recipiendum primitus, vt asseruit, perlectis; necnon ipsumque Johannem de Narryn, procuratorem, vt supradicitur, sui procuratorii mandato, in plenam et integram possessionem, institucionem, inuestionem et inductionem prenominatarum terrarum, nomine et ex parte dictarum Elyzabeth et Margeorie, cum omnibus iustis suis pertinenciis et commoditatibus, vt asseruit, possedit, instituit, inuestiuit, et induxit; hoc facto, vt asseruit, ad primum et proximum festum Sancti Martini in yame, post obitum bone memorie magnifici domini domini Thome Steuart, comitis quondam de Gariach, ibidem pro tunc presentibus, vt asseruit, Johanne de Lee, Thoma de Lee, Andrea Scalle, Johanne Garwe, commorantibus in Altray, adhuc viuentibus, Thoma de Narryn mortuo, cum multis aliis, in numero viginti quatuor aut vltra: Super quibus omnibus et singulis assercionibus et relacionibus, predictus Patricius Fergucii a me, notario publico subscripto, sibi fieri peciit publicum instrumentum seu publica instrumenta: Acta erant hec, apud Inuernes, coram porta cimiterie ecclesie parochialis eiusdem, sub anno, die, mense, indiccione et pontificatu suprascriptis; presentibus ibidem, nobilibus viris, armigeris, Hugone de Ros de Kyllrawog, Willelmo de Haya, Johanne Grant, Johanne Terrelochsoun et Lansoto de Ros, rectore de Tyry, testibus cum multis aliis ad premissa vocatis specialiter et rogatis.

Et ego Beanus Patricii, presbyter Morauiensis diocesis, publicus auctoritate imperiali notarius, premissis peticionibus [*etc.*].

28. CHARTER by JOHN WYNNE, burgess of Inverness, to SIR HUGH MITCHELSON, of a perticate of land in the said burgh. 10th February 1450.

OMNIBUS hanc cartam visuris vel audituris, Johannes Wynne, filius et heres quondam Alexandri Wynne, burgensis de Inuernys, eternam in Domino salutem: Noueritis me dedisse, concessisse, necnon a me et heredibus meis imperpetuum alienasse, et titulo vendicionis tradidisse, et eciam presenti carta mea confirmasse dilecto et speciali amico meo, domino Hugoni Michaelis, vnam perticatam terre mee iacentem infra dictum burgum, in vico ecclesie, ex parte orientali eiusdem vici, inter terram Alexandri Fabri ex parte australi, ex parte vna, et terram Michaelis Johannis ex parte boreali, ex parte altera; cuius frons extendit ad communem viam regiam versus occidens, et cauda ad antiquam fossam versus oriens; pro quadam summa pecunie quam prefatus dominus Hugo in mea graui et vrgenti necessitate michi fideliter et pre manibus persoluebat, vnde me contentum teneo et fideliter persolutum; ac predictum dominum Hugonem, heredes suos et assignatos, pro me, heredibus meis et meis assignatis, quitumclamo et ex omnino per presentes: Tenendam et habendam totam dictam perticatam terre cum pertinenciis prefato domino Hugoni, heredibus suis et suis assignatis, a me, heredibus meis et meis assignatis, imperpetuum, libere, quiete, integre, honorifice, bene et in pace, cum omnibus commoditatibus, libertatibus, et aysiamentis, ac iustis suis pertinenciis quibuscunque ad dictam terram cum pertinenciis, tam non nominatis quam nominatis, spectantibus seu iuste spectare valentibus quouismodo in futurum: Reddendo inde annuatim dictus dominus Hugo, heredes sui et sui assignati, capelle Beate Marie Virginis de Grene dicti burgi quatuor solidos vsualis monete Scocie, viz., medietatem ad festum Pentecostes, et aliam medietatem ad festum Beati Martini in yeme, per equales porciones, et domino nostro Regi annuatim quinque denarios ad terminos infra dictum burgum statutos persoluendos, tantum, pro omni alio onere, seruicio seculari, exactione seu demanda, que de dicta perticata terre exigi poterunt vel requiri: Et ego vero dictus Johannes, heredes mei et mei assignati, predictam perticatam terre cum pertinenciis prefato domino Hugoni, heredibus suis et suis assignatis, in omnibus et per omnia, vt predictum est, contra omnes homines et feminas mortales warantizabimus, acquietabimus, et imperpetuum defendemus, sub pena decem librarum vsualis monete Scocie, fabrice ecclesie parochialis de Inuernys, integre percipiendarum, ante omnem litis ingressum, de persona seu personis dictum dominum Hugonem, heredes suos vel assignatos, perturbantibus seu vexantibus in dicta terra cum pertinenciis; presenti tamen carta in sui roboris firmitate imperpetuum duratura: In cuius rei testimonium, quia sigillum proprium non habui, sigillum discreti viri Johannis Ryole, burgensis dicti burgi, et sigillum prouidi viri Johannis iunioris Thome, tunc temporis vnius balliuorum dicti burgi, qui pro me saysinam de dicta terra cum pertinenciis prefato domino Hugoni contulit, saluo tamen iure cuiuslibet, una cum sigillo communi prefati burgi per me instanter procurato, feci presenti carte mee appendi, apud dictum burgum, decimo die mensis Februarii,

anno Domini millesimo quadringentesimo quinquagesimo; testibus, discretis viris Patricio Fergucii, Alexandro Vaus, Thoma Angucii, Andrea Johannis, Duncano mercatore, Johanne Thome, skynnare, Johanne Scot, Fyndlao sutore, Roberto Nicholai, et Donaldo Symonis, cum multis aliis vocatis et specialiter rogatis.

29. Precept of Sasine in favour of John le Hay of Mayn, in the half of Inuerariane and others. 31st August 1453.

Archibaldus comes Morauie et magister de Douglas, dilecto consanguineo nostro Duncano le Graunte de Fruychy, salutem: Quia dedimus et concessimus hereditarie consanguineo et armigero nostro, Johanni le Haya de Mayn, omnes et singulas terras subscriptas, videlicet, dimidietatem ville de Inuerariane, dimidietatem ville de Glenbeg, dimidietatem ville de Drekky, cum pertinenciis, iacentes infra comitatum nostrum Morauie et regalitatem de Ballokhill: Quequidem terre cum pertinenciis fuerunt quondam Elizabeth Pylche, et quas eadem Elizabet, non vi aut metu ducta, nec errore lapsa, sed sua spontanea voluntate ac animo deliberato, in sua pura viduitate, in manus nostras, per fustem et baculum, sursum reddidit, pureque et simpliciter resignauit, prout in carta dicto Johanni desuper confecta latius continetur: Quare vobis precipimus et mandamus quatenus ad dictas terras et villas personaliter accedentes, predicto Johanni vel certo suo actornato, latori presencium, sazinam hereditariam, secundum tenorem dicte carte sue, de premissis villis et terris cum pertinenciis, visis presentibus, tribuatis indilate, saluo iure cuiuslibet, ut moris est: In signum vero dicte sazine per vos eidem tradite sigillum vestrum post nostrum in secunda cauda presentibus apponatis: Datum sub sigillo nostro, apud Elgyn, vltimo die mensis Augusti, anno Domini millesimo cccc^mo^ quinquagesimo tercio.

30. Instrument on the Grant by David Stewart, Bishop of Moray, to Alexander Kere of Rothiemurchus, of the kirk lands of Rothiemurchus. 23d August 1464.

In Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno incarnacionis [dominice millesi]mo quadringentesimo sexagesimo quarto, mensis vero Aug[usti] die vicesimo tercio, indiccione duodecima, [pontificatus sancti]ssimi in Christo patris ac domini nostri domini Pii diuina disponenti clementia Pape secundi anno septimo: Inter reuerendum in Christo patrem ac dominum, dominum Dauidem Dei et apostolice sedis gracia episcopum Morauiensem, et capitulum eiusdem, ex vna, et Alexandrum Kere de Ratamurcous, partibus ex altera, in mei notarii publici et testium subscriptorum presencia personaliter constitutos, in controuersia inter ipsos super occupacione et detentione terrarum ecclesiasticarum de Ratamurcous per dictum Alexandrum factis mota, tractatum, appunctu-

atum, conclusum fuit et concordatum modo et forma subsequentibus, viz., quod dictus reuerendus pater fieri faceret generalem conuocationem omnium canonicorum et confratrum suorum, propter absentes, ne ipsi in posterum poterint contemptum aliquatenus allegare, sub termino triginta dierum; et adueniente termino, dictus reuerendus pater cum suis canonicis et confratribus in loco capitulari tunc capitulariter conuenientibus, habito prius cum eis solempni et diligenti tractatu, qui in alienatione rerum ecclesiasticarum fieri solet, de eorum expresso consensu darent, concederent, ac inperpetuum alienarent, et suo sigillo communi confirmarent dicto Alexandro et heredibus suis omnes et singulas predictas terras de Ratamurcous cum pertinenciis: Reddendo inde annuatim dictus Alexander et heredes sui viginti quatuor marcas vsualis et legalis monete Scocie ad duos anni terminos, viz., xij marcas ad festum Sancti Martini in yeme, vel saltem ad festum natalis Domini dictum festum proxime et immediate sequentes, et alias xij marcas ad festum Pentecostes vel saltem ad festum assumpcionis Beate Marie Virginis, vel infra viij dies dictum festum proxime et immediate sequentes, tantum, pro omni alio onere et seruicio que de dictis terris cum pertinenciis exigi poterunt vel requiri: Et casu quo dictus Alexander aut heredes sui defecerint in solucione dicti annui redditus, in toto aut in parte, ad terminos suprascriptos vel saltem vltimos eorum, ut predictum est, dictus Alexander promisit pro se et heredibus suis dicto reuerendo patri pro se et successoribus suis Episcopis Morauiensibus stipulanti, quod nunquam ius aut iuris clameum in dictis terris cum pertinenciis, in petitorio vel possessorio, in possessione vel proprietate, pretenderet, peteret vel vsurparet, aut heredes sui pretenderent, peterent vel vsurparent, et quoad hoc omni iuris defensioni renunciando: Et si dictus Alexander, sic quod in solucione dicti annui redditus in terminis suprascriptis, ut predictum est, non deficiat, aut heredes sui non deficiant, poterit aliquo tempore [me]dio aut heredes sui poterint inuenire aliquas terras ad valorem decem librarum annui census iacentes infra co[mita]tum Morauie inter aquas de Nys et Spey, et inter le glen de Rothes, baroniam de Lethyn et mare, vel [saltem] in dicta baronia et non altius iacentes, de quibus poterit et velit ecclesiam Morauiensem infeodare, quas . . . ecclesia de supremo domino nostro Rege tenebit in capite, ipse Alexander et heredes sui habebunt omnes et singulas terras predictas de Ratamurcous cum pertinenciis racione excambii, eas de ecclesia Morauiensi tenendo in capite; nec ad solucionem annui redditus poterit aliquatenus constringi vlterius aut compelli dictus Alexander aut heredes sui, [postquam dicta ecclesia] de predictis terris decem librarum annui census infra limites predictos infeodata fuerit et sais[ita: Et] ad omnia et singula fideliter adimplenda que premissa sunt, dicte partes michi notario publico infrascripto stipulanti, se fide media obligarunt, omnibus fraude, dolo et cauillacione postpositis et seclusis. De et super quibus omnibus et singulis dictus Alexander Kere a me notario publico infrascripto sibi fieri peciit vnum vel plura, publicum seu publica, instrumentum vel instrumenta. Acta erant hec in ecclesia cathedrali Morauiensi predicta in loco [capitul]ari eiusdem, hora quasi decima ante meridiem, sub anno, mense, die, indiccione et pontificatu quibus [supra]; presentibus ibidem, honorabilibus et

circumspectis viris, viz.: Roberto de Innes et Villelmo de Cald . . . , militibus; Thoma de Ogilby et Jacobo de Innes, scutiferis, cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Thomas Graunt, presbyter Morauiensis diocesis, in decretis bacallarius, et [publicus] auctoritate imperiali notarius, quia premissis omnibus et singulis [*etc., in forma communi*].

31. INSTRUMENT on the Assignation by DAVID STEWART, BISHOP OF MORAY, to ALEXANDER KEYR MACKINTOSH, of the lands of Rothiemurchus. 24th September 1464.

IN Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Domini millesimo quadringentesimo sexagesimo quarto, mensis vero Septembris die vicesimo quarto, indictione duodecima, pontificatus sanctissimi in Christo patris et domini nostri domini Pii diuina disponenti clemencia Pape secundi, anno septimo; in mei notarii publici et testium infrascriptorum presencia, personaliter constitutus reuerendus in Christo pater et dominus meus, dominus Dauid Dei et apostolice sedis gracia episcopus Morauiensis de communi et vnanimi consensu capituli sui, vt asseruit, omnes et singulas illas terras de Rathamurhous cum suis vniuersis pertinenciis alias per Alexandrum Keyre Makynthoschey in manibus suis pure et simpliciter resignatas, prelibato Alexandro et heredibus suis, secundum tenorem certi instrumenti, condiciones et appunctuaciones super predictis terris inter prefatum reuerendum in Christo patrem et Alexandrum factas in se continentis, assignauit: De et super quibus omnibus et singulis prefatus Alexander a me notario publico subscripto sibi vnum uel plura, publicum seu publica, instrumentum seu instrumenta, fieri petiit: Acta erant hec in ecclesia cathedrali Morauiensi, in capella Beati Nicolaii eiusdem, sub anno, die, mense, indictione et pontificatu supradictis; presentibus venerabilibus et discretis viris, dominis et magistris, Thoma Graunt, officiali Morauiensi, Willelmo de Gawbrath, rectore de Kyncardyn, Waltero Spey et Bartholomeo de Brynneth et Lambride vicariis perpetuis, cum diuersis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Andreas de Fores, presbiter Morauiensis diocesis, publicus auctoritate imperiali notarius, quia premissis omnibus et singulis [*etc.*].

32. CHARTER by DAVID STEWART, BISHOP OF MORAY, to ALEXANDER KEYR MACKINTOSH, of the kirk lands of Rothiemurchus. 24th September 1464.

OMNIBUS hanc cartam visuris vel audituris, Dauid Dei et apostolice sedis gracia episcopus Morauiensis, salutem in Domino sempiternam: Noueritis nos, de vnanimi consensu et

assensu capituli nostri, vtilitate ecclesie nostre vndique pensata, habito prius super hoc cum canonicis et confratribus nostris ad sonum campane ad hoc capitulariter congregatis sepius solempni et diligenti tractatu, dedisse, concessisse, et ad feodam firmam dimisisse, necnon presenti carta nostra confirmasse dilecto ac fideli nostro Alexandro Keyre Makyntosy, omnes et singulas terras nostras ecclesiasticas de Ratamurcous cum pertinenciis, iacentes infra vicecomitatum de Inuernys: Tenendas et habendas omnes et singulas prenominatas terras de Ratamurcous cum pertinenciis dicto Alexandro et heredibus suis, de nobis et successoribus nostris, episcopis Morauiensibus, qui pro tempore fuerint, in feodo et hereditate imperpetuum, per omnes rectas metas antiquas et diuisas, in boscis, planis, moris, maresiis, pratis, pascuis et pasturis, petariis, turbariis et carbonariis, brueriis et genestis, fabrilibus et brasinis, viis, aquis, siluis, stagnis, riuolis, lacubus, aucupacionibus, venacionibus, piscacionibus, cum molendinis, multuris et eorum sequelis; cum curiis et earum exitibus, cum le pot et galous, herieldis, bludewetis, et mulierum merchetis, cum communi pastura et libero introitu et exitu; ac cum omnibus aliis et singulis commoditatibus, libertatibus et asiamentis, ac iustis suis pertinenciis quibuscunque, tam non nominatis quam nominatis, tam subtus terra quam supra terram, tam prope quam procul, ad predictas terras cum pertinenciis spectantibus seu iuste spectare valentibus quomodolibet infuturum; libere, quiete, honorifice, plenarie, integre, bene et in pace, et adeo libere et quiete, sicut aliqua terra liberius seu quiecius de aliqua ecclesia infra regnum Scocie tenetur seu possidetur, sine retinemento vel reuocacione aliquali: Reddendo inde annuatim prefatus Alexander et heredes sui nobis et successoribus nostris, episcopis Morauiensibus qui pro tempore fuerint, viginti quatuor marcas vsualis et legalis monete regni Scocie ad terminos subscriptos, viz., duodecim marcas ad festum Penthecostes, vel saltem ad festum assumpcionis Beate Marie, vel infra octo dies dictum festum proximo et immediate sequentes, et alias duodecim marcas ad festum Sancti Martini in yeme, vel saltem ad festum natalis Domini proximo et immediate sequens, absque vlteriore dilacione, fraude vel dolo, tantum, pro omni alio onere, seruicio seculari, exactione seu demanda, que de dictis terris cum pertinenciis exigi poterunt vel requiri; incipiendo in solutione dicti annui redditus ad festum Sancti Martini in yeme proximum post datam presencium, et sic deinceps continuando de termino in terminum, semper donec et quousque dictus Alexander aut heredes sui nos et ecclesiam nostram Morauiensem, aut successores nostros, de decem libratis terrarum sufficientium, nobis et capitulo nostro placentium, de supremo domino nostro Rege tentarum in capite, in loco competenti, inter aquas de Spey et Nys, inter le Glen de Rothes et mare, vel inter baroniam de Lethyn et mare vel saltem in dicta baronia, et non altius iacentium, infeodauerit et saisierit, seu heredes sui infeodauerint et saisierint: Quo facto, volumus et concedimus, pro nobis et successoribus nostris, episcopis Morauiensibus, quod dictus Alexander et heredes sui gaudebunt et possidebunt dictas terras de Ratamurcous cum pertinenciis, in verum excambium pro dictis decem libratis terrarum, libere et absque aliquo annuo redditu inde vlterius persoluendo; dictas terras de Ratamurcous cum pertinenciis de nobis, ecclesia

nostra Morauiensi, et successoribus nostris episcopis Morauiensibus, tenendo in capite; saluo tamen forinseco seruicio supremi domini nostri Regis de dictis terris cum pertinenciis debito et consueto; et coram nobis et successoribus, episcopis Morauiensibus, vnum germen abiegnum persoluendo ad manerium dominii de Ratamurcous, si petatur: Et si contingat dictum Alexandrum aut heredes suos aliquo tempore deficere in solucione dicti annui redditus, in toto aut in parte, ad terminos suprascriptos, vel saltem vltimos eorum, ut predictum est, quod absit, volumus quod dicte terre de Ratamurcous cum pertinenciis, nobis et ecclesie Morauiensi, et successoribus nostris in eadem, sine opposicione, contradictione seu obstaculo aliquali, libere eo ipso reuertantur: Et quod dictus Alexander aut heredes sui in dictis terris cum pertinenciis de post nullum ius aut iuris clameum, in petitorio vel possessorio, pretendere poterit seu poterint, vel aliquatenus vendicare: Ad quod dictus Alexander pro se et heredibus suis, nobis pro nobis et successoribus nostris stipulantibus, se fide media firmiter obligauit, omnibus dolo, fraude et cauillacione postpositis et semotis: Et nos vero Dauid prefatus et successores nostri, episcopi Morauienses, prefatas terras de Ratamurcous cum pertinenciis prefato Alexandro et heredibus suis, in omnibus et per omnia, contra omnes homines et feminas mortales, warandizabimus, acquietabimus, et imperpetuum defendemus: In cuius rei testimonium sigillum nostrum rotundum, vnacum sigillo communi capituli nostri, et subscriptionibus canonicorum qui huic contractui interfuerunt, presenti carte nostre sunt appensa, apud Elgyn, vicesimo quarto die mensis Septembris, anno Domini millesimo quadringentesimo sexagesimo quarto, et consecracionis nostre secundo.

Nos Dauid episcopus Morauiensis ad omnia suprascripta consentimus et manu nostra propria subscribimus.

Et ego Johannes Grene, cancellarius, consencio et subscribo.

Et ego Villelmus Vyncestre, thesaurarius, consencio et subscribo.

Et ego Johannes Wyncestre, subdecanus, consencio et subscribo.

Et ego Alexander Stewart, succentor, consencio et subscribo.

Ego Finlaus Bel, prebendarius de Croy, consencio et subscribo.

Ego Thomas Ross, prebendarius de Kynnor, consencio et subscribo.

Ego Thomas de Sancto Claro, prebendarius de Alberlouyr, consencio et subscribo.

33. Retour of Duncan Grant, knight, as heir to his grandfather, Gilbert of Glencharny, in the lands of Kunnyngais. 25th February 1464.

Hec Inquisicio facta est apud Inuernys, vicesimo quinto die mensis Februarii, anno Domini millesimo quadringentesimo sexagesimo quarto, coram Celestino de Insulis, deputato vicecomite de Inuernys, per istos infrascriptos, videlicet, Alexandrum de Dunbare de Westfeilde, Willelmum de Caldore, milites, Willelmum de Caldore, iuniorem, Thomam Cummyn,

Alexandrum Cummyn, Johannem Hay de Mayn, Thanum de Brothy, Hugonem de Douglas, Jacobum de Douglas, Alexandrum Flemyng, Patricium Fergusii, Donaldum Coysoun, Johannem Scheras, Henricum de Dolas, Villelmum Gaufridi et Donaldum Johannis: Qui fideliter jurati dicunt quod quondam Gilbertus de Glencharny, auus Duncani Graunt, militis, obiit ultimo vestitus et saisitus ut de feodo, ad fidem et pacem domini nostri Regis Scocie, de terris de Kunnyngais cum pertinenciis; et quod dictus Duncanus est legitimus et propinquior heres dicti quondam Gilberti aui sui de eisdem terris cum pertinenciis; et quod est legitime etatis; et quod dicte terre de Kunnyngais cum pertinenciis modo valent xl s., et quod tempore pacis valent x marcis; et quod dicte terre cum pertinenciis tenentur de supremo domino nostro Rege in capite per vardam et releuium; et quod dicte terre cum pertinenciis nunc existunt in manibus supremi domini nostri Regis, ob defectum heredis non prosequentis, et a tempore decessus dicti quondam Gilberti aui sui. In cuius inquisicionis testimonium sigillum dicti Celestini deputati vicecomitis, vna cum sigillis quorundam qui dicte inquisicioni intererant, presentibus est appensum, anno, die, mense, et loco suprascriptis.

In dorso: Non datur sasina de terris infrascriptis, quia non respondetur in presenti retornatu ad punctum inquisicionis, a quo tempore et per quod spatium terre sunt in manibus domini nostri Regis, et pro aliis diuersis causis, vt infra patet.[1]

34. Charter by King James the Third in favour of Alexander Dunbar of Westfield, of the lands of Westfield, etc. 10th February 1467.

Jacobus Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem: Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto et fideli familiari nostro, Alexandro de Dunbar de Westfeilde, militi, totas et integras terras de Westfeilde, Focabris, et de Auldecasch, cum pertinenciis, iacentes infra vicecomitatum nostrum de Elgin: Quequidem terre cum pertinenciis fuerunt dicti Alexandri hereditarie; et quas idem Alexander, non vi aut metu ductus, nec errore lapsus, set sua mera et spontanea voluntate, in manus nostras apud Edinburgh, coram subscriptis testibus, personaliter per fustem et baculum sursum reddidit, pureque simpliciter resignauit; ac totum ius et clameum que in dictis terris cum pertinenciis habuit seu habere potuit pro se et heredibus omnino quittumclamauit imperpetuum: Quas omnes et singulas terras de Westfeilde, Focabris, et Auldecasch, cum pertinenciis, in vnam meram et liberam baroniam, Baroniam de Westfeilde perpetuis futuris temporibus nuncupandam, annexuimus, incorporauimus et vniuimis, ac annexamus, incorporamus, et vnimus pro perpetuo tenore presentis carte: Tenendas et habendas totas et integras prenominatas terras de Westfeilde, Focabris, et Auldecasch, cum pertinenciis, in vnam meram et liberam baroniam, Baroniam de Westfeilde, vt premittitur,

[1] A second Retour was expede on the 7th February 1468. *Vide* No. 35.

nuncupandam, dicto Alexandro et heredibus suis de nobis, heredibus, et successoribus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, prout iacent in longitudine et latitudine, in boscis, planis, moris, maresiis, viis, semitis, aquis, stagnis, riuolis, pratis, pascuis et pasturis, molendinis, multuris, et eorum sequelis, aucupacionibus, venacionibus, piscacionibus, petariis, turbariis, carbonariis, lapicidiis, lapide et calce, fabrilibus et bracinis, brueriis et genestis, cum curiis et earundem exitibus, herezeldeis, bludewitis et merchetis mulierum, cum furca et fossa, sok, sak, thol, theme, infangandetheif et outfangandtheif, cum tenentibus, tenandiis, et libere tenencium seruiciis, ac cum omnibus aliis et singulis libertatibus, commoditatibus, ac asiamentis, ac iustis pertinenciis quibuscunque, tam non nominatis quam nominatis, ad dictas terras et baroniam cum pertinenciis spectantibus seu quouismodo iuste spectare valentibus in futurum; et adeo libere, quiete, plenarie, integre, honorifice, bene, et in pace, in omnibus et per omnia, sicut dictus Alexander aut predicessores sui prenominatas terras cum pertinenciis de nobis aut predicessoribus nostris ante dictam resignacionem nobis inde factam liberius tenuit seu possedit, tenuerunt seu possederunt: Faciendo inde annuatim dictus Alexander et heredes sui nobis, heredibus et successoribus nostris, seruicia de dictis terris debita et consueta: In cuius rei testimonium, presenti carte nostre magnum sigillum nostrum apponi precepimus: Testibus, reuerendis in Cristo patribus, Andrea et Thoma Glasguensis et Aberdonensis ecclesiarum episcopis; dilectis consanguineis nostris Andrea domino Avandale, cancellario nostro, Dauid comite de Craufurde et domino Lindesay, Colino comite de Ergile domino Cambel, magistro hospicii nostri, Roberto domino Boide, magno camerario nostro, Roberto domino Lile, magistris Jacobo Lindesay, preposito de Lincloudane, nostri secreti sigilli custode, Dauid de Guthre de eodem, nostrorum compotorum rotulatore, et Archibaldo de Quhitelau, decano de Dunbar, secretario nostro: Apud Edinburgh, decimo die mensis Februarii, anno domini millesimo quadringentesimo sexagesimo septimo, et regni nostri octauo.

35. Retour of Duncan Grant as heir of Gilbert of Glencharny, his grandfather, in the lands of Connygais. 7th February 1468.

Hec Inquisicio facta fuit apud Inuernys, septimo die mensis Februarii, anno Domini millesimo quadringentesimo sexagesimo octauo, coram Celestino de Insulis, deputato vicecomite de Inuernys, per hos fideles subscriptos, videlicet, Allexandrum de Suthirland de Duffus, Wilelmum de Wrchrde de Crommody, militem, Hugonem Rosse de Kylrawac, Tomam Cumin de Altre, Johannem Monroy de Foulis, Johannem Haye de Mane, Dawit Waltersun de Kyncardin, Allexandrum Cuming Irnyshede, Allexandrum Forbes, Johannem Fauconare de Murtholme, Patricium Fergussun de Inuernys, Willelmum Huchunsun, Alexandrum Ross, Donaldum Andersun, Henricum Fraser, Gilbertum Fynlausun, Ewin Achlek, Hugonem Monroy et Cristinum Taylzure: Qui iurati dicunt, quod condam Gilbertus de Glencharny, auus

Donucany de Graunt, mylitis, latoris presencium, obbiit wltimo vestitus et sasitus ut de feodo, ad pacem et fidem domini nostri Regis, de terris de Cunygass cum pertinenciis, iacentibus infra dictum wicecomitatum de Inuernys: Et quod dictus Donucanus est legitimus et propinquior heres dicti condam Gilberti aui sui de dictis terris cum pertinenciis: Et quod est legitime etatis: Et quod dicte terre walent nunc per annum xl s.; et quod valuerunt tempore pacis decem marcis: Et quod dicte terre nunc sunt in manibus domini nostri Regis; et tenentur in capite de domino nostro Rege per wardam et releuium; et nunc existunt in manibus domini nostri Regis in defectu veri heredis ius suum non prosequentis a tempore obitus dicti Gilberti, qui obbiit trigenta annys elapsis uel eocirca: In cuius inquisicionis testimonium sigilla corundam qui dicte inquisicioni intererant sunt appensa; clausum sub sigillo dicti Celestini, wicecomitis deputati supradicti, anno, die, mense et loco suprascriptis.[1]

36. Precept of Sasine for infefting Duncan the Grant, knight, in the lands of Cwnygaiss. 3d March [1468].

Jacobus Dei gracia Rex Scotorum, dilectis nostris Thome Cumming et Jacobo de Douglas, vicecomitibus nostris de Inuernys in hac parte coniunctim specialiter constitutis, salutem: Quia per inquisicionem de mandato nostro per vicecomitem nostrum de Inuernys factam, et ad capellam nostram retornatam, compertum est quod quondam Gilbertus de Glencarny, auus Duncani le Graunt, militis, latoris presencium, obiit vltimo vestitus et saisitus vt de feodo, ad pacem et fidem nostram, de terris de Cunygais cum pertinenciis, iacentibus infra vicecomitatum de Inuernys; et quod dictus Duncanus est legitimus et propinquior heres eiusdem quondam Gilberti aui sui, de dictis terris cum pertinenciis; et quod est legitime etatis; et quod de nobis tenentur in capite: Vobis precipimus et mandamus quatenus dicto Duncano vel suo certo actornato, latori presencium, sasinam dictarum terrarum cum pertinenciis iuste habere faciatis et sine dilacione; saluo iure cuiuslibet: Et hoc nullo modo omittatis: Capiendo securitatem de sexaginta libris de firmis dictarum terrarum cum pertinenciis existentium in manibus nostris per spacium triginta annorum, sasina non recuperata; que firme se extendunt annuatim ad quadraginta solidos, et de quadraginta solidis de releuio earundem terrarum nobis debitis: Ad quod faciendum vobis coniunctim in hac parte nostram committimus potestatem: Datum sub testimonio magni sigilli nostri, apud Edinburgh, tercio die mensis Marcii, anno regni nostri nono.

37. Instrument on the Apprisings of certain cattle on the lands of Wormet by James Hay of Nauchtan, for the farm-duties thereof. 20th May 1472.

In Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno incarnacionis dominice millesimo quadringentesimo septuagesimo secundo, mensis vero

[1] The Latin is printed here as in the original.

Maii die vicesima, indictione quinta, pontificatus sanctissimi in Christo patris et domini, domini nostri Sixti diuina prouidentia Pape quarti anno primo: In mei notarii publici et testium subscriptorum presencia personaliter constitutus nobilis vir, Jacobus Hay, dominus baronie de Nauchtan ac proprietatis terrarum de Wormet, vt ipse asseruit, cum pertinenciis, iacentium in dicta baronia infra vicecomitatum de Fyff, accessit ad dictas terras de Wormet debatabiles inter ipsum Jacobum et Elizabeth sororem suam, sponsam Johannis Heryng: Et ibidem recitauit, qualiter in certo die sibi limitato per literas summonicionis regias comparuit coram consulibus supremi domini Regis, apud Edinburgh, vbi acticatum erat in quodam acto per dictos dominos consules quod dicte terre essent recognite per supremum dominum nostrum Regem in manibus eius, usque ad decimam quintam diem mensis Junii proxime et immediate sequentis: Et quia prefate terre de Wormet, vt ipse Jacobus asseruit, non erant recognite die date presentis instrumenti per supremum dominum nostrum Regem, nec per aliquem officiarium nomine suo, qui dies erat post terminum Pentecostes vltimo elapsum, licebat sibi namare et voluit distringere pro firmis dictarum terrarum cum pertinenciis, tanquam pro firmis propriarum terrarum; que firma extendebat ad sex marcas vsualis monete regni Scocie: Et incontinenter fecit quatuor vicinos accedere vbi certi boues erant in dicto campo pastorantes et, ipsis vicinis iuratis, magno juramento mediante, fecit eos appreciare sex boues pro firma earundem, modo quo bona mobilia vsitantur appreciari in regno Scocie pro firmis: Qui vicini appreciarunt quatuor eorundem bouum pro sex marcis, quos prefatus Jacobus reliquit super fundum tanquam propria bona pastoranda in propriis terris: Super quibus omnibus et singulis prefatus Jacobus a me notario publico subscripto sibi fieri peciit publicum instrumentum. Acta erant hec super fundum dictarum terrarum de Wormet, sub anno, mense, die, indictione, et pontificatu predictis; presentibus ibidem nobilibus et discretis viris, Johanne Wemis, Georgeo Narin, Alexandro Wemis, Georgeo Lessal, et Johanne Bel, testibus ad premissa vocatis specialiter et rogatis.

Et ego Dauid Logy, presbiter Brechinensis diocesis, publicus auctoritate imperiali ac regali notarius, quia predictis omnibus et singulis [*etc.*].

38. Charter by Marjory Lude, Lady of half the barony of Freuchie, to Patrick Grant, of the lands of Achinarrow and others. 28th July 1473.

Omnibus hanc cartam visuris vel audituris, Marioria Lude domina de dimedia parte baronie de Fruchue, salutem in Domino sempiternam: Sciatis me in mea viduitate ac magna et vrgenti necessitate, ad sustentacionem vite mee, non vi aut metu ductam, nec errore lapsam, neque compulsam uel choactam, sed mea mera et spontanea voluntate, vtilitate mea in hac parte vndique preuisa, appensata et diligenter considerata, impignorasse, et in vadium dimisisse, necnon presenti carta mea impignorare ac in vadium dimittere Patricio Grante

filio meo carnali, omnes et singulas terras meas de Achinarrow, Downane, Port et Dalfoure, iacentes infra baroniam de Fruychue et vicecomitatum de Inuernis, pro summa sexcentarum mercarum vsualis monete regni Scocie michi totaliter et integre in mea vrgenti necessitate ad sustentacionem vite mee plenarie persoluta, recepta, et in vsus meos conuersa; de quaquidem summa teneo me bene contentam et placatam, et dictum Patricium et omnes suos quorum interest quitumclamo imperpetuum: Tenendas et habendas dicto Patricio, heredibus suis et assignatis, per omnes rectas metas suas et diuisas, prout iacent in longitudine et latitudine, in viis, semitis, boscis, planis, pratis, pascuis et pasturis, aquis, stagnis, riuolis, molendinis et multuris et eorum sequelis, aucupacionibus, venacionibus et piscariis, ac cum omnibus et singulis libertatibus, commoditatibus, asiamentis, ac iustis suis pertinenciis quibuscunque ad dictas terras spectantibus seu iuste spectare valentibus in futurum, ita bene, libere, quiete, integre et honorifice, sicut ego dicta Marioria dictas terras cum pertinenciis liberius, quietius et honorificencius tenui seu possedi imperpetuum, donec et quousque summa sexcentarum mercarum monete predicte dicto Patricio, heredibus uel assignatis, per me uel heredes meos seu assignatos in vna die inter solis ortum et occasum eiusdem, in ecclesia cathedrali Morauiensi super summum altare eiusdem, plenarie et integraliter fuerit persoluta: Reddendo inde dictus Patricius, heredes sui et assignati, domino superiori dictarum terrarum seruicium debitum et consuetum, secundum quod in cartis primeuis desuper confectis plenius continetur tantum, pro omni alio onere, exactione, seu demanda, que de dictis terris cum pertinenciis exigi poterint uel requiri: Ac ad premissa fideliter obseruanda sine reuocacione quacunque, tactis sacrosanctis Dei ewangeliis, iuramentum prestiti corporale: Et ego vero dicta Marioria et heredes mei dictas terras cum pertinenciis dicto Patricio, heredibus suis et assignatis, modo et forma premissis, varantizabimus, acquietabimus et contra omnes mortales defendemus. In cuius rei testimonium sigillum meum presenti carte mee est appensum, apud ecclesiam cathedralem Morauiensem antedictam, coram hiis testibus, magistris Thoma Vaus, Alexandro Stevart, Johanne Vyncestre dicte ecclesie cathedralis precentore, cancellario et subdecano, dominis Thoma de Sancto Claro, Finlao Bell, et Andrea Merschel, dicte ecclesie canonicis prebendariisque de Aberlour, Croy et centum solidorum in eadem, dominis Johanne Laynge, Gilberto Ricardi et Villelmo Andree, dicte ecclesie canonicis, et magistro Villelmo Byrneth ecclesiarum de Eskill et Duple vicario perpetuo ac notario publico, cum diuersis aliis, vicesimo viij° die mensis Julii, anno Domini millesimo quadringentesimo septuagesimo tercio.

39. Notarial Instrument on an Annulment of Sasine of the lands of Rothiemurchus by Alexander M'Intosh, thane of Rothiemurchus. 20th July 1475.

In Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Domini millesimo quadringentesimo septuagesimo quinto, mensis vero Julii die vicesima, indictione octaua, pontificatus sanctissimi in Christo patris et domini nostri domini

Sixti diuina disponente clemencia pape quarti anno quarto: In mei notarii publici et testium subscriptorum presencia personaliter constitutus honorabilis vir Alexander Makyntoischie, thanus de Rathamurchus, exponendo se prouidum virum Jacobum Stevart, palacii de Spyny constabularium, reuerendi in Christo patris ac domini domini Dauidis Dei et apostolice sedis gracia episcopi Morauiensis in hac parte balliuum, suis literis patentibus ad hoc specialiter constitutum, statum, possessionem et sasinam hereditariam omnium et singularum terrarum predictarum de Rathamurchus cum pertinenciis, sibi exponenti, vt asseruit, diuersis iuribus mediantibus pertinentium, vigore quarundam literarum supremi domini nostri Regis super premissis eidem domino episcopo et suis balliuis directarum, Duncano Makyntoischie, instanti hora conferentem vidisse declarauit: Et si prenotati status, possessio et sasina, si sasina dici potest, si pro non, in suis viribus persisterent, preiudicium non modicum eidem Alexandro suisque heredibus verisimiliter generarent; ideo huiusmodi statum, possessionem, et sasinam hereditariam pretensos, vt asseruit, dictarum terrarum cum pertinenciis per dictum balliuum prefato Duncano traditos, necnon omnia et singula exinde sequuta sibi aut suis heredibus prenotatis super premissa preiudicialia, alta voce intelligibili, quantum de iure potuit et licuit, prenotatus Alexander infregit, irritauit, cassauit et annullauit: Et in huiusmodi infrictionis, annullacionis et cassacionis signum, quemdam discum lingneum suo pede in eadem domo in cuius hostio huiusmodi sasina fuerat tradita infringendo, ignem in eadem accensum extinguendo, protestando solempniter quod huiusmodi, vt asseruit, pretensi status, possessio et sasina prefato Duncano traditi, sibi et dictis heredibus suis in aliquo perpetuis futuris temporibus [non] preiudicarent: De et super quibus omnibus et singulis prenotatus Alexander M^{c}Kyntoischie a me notario publico subscripto sibi fieri peciit vnum seu plura, publicum seu publica, instrumentum seu instrumenta: Acta erant hec super fundum dictarum terrarum, sub anno, die, mense, indictione et pontificatu quibus supra: Presentibus ibidem, discretis viris dominis Willelmo Hay, Johanne Fergusii, Willelmo Duff de Abirlour, Cromdail et Louch . . . vicariis perpetuis, Johanne Stevart, Roberto Stevart de Cluny, et Finlaio Buttyre, cum diuersis aliis ad premissa vocatis specialiter et rogatis.

Et ego Johannes Andree, presbyter Morauiensis diocesis, publicus imperiali et regali auctoritatibus notarius [*etc., in forma communi*].

40. PRECEPT by DUNCAN GRANT of Freuchie, knight, for infefting JAMES DOUGLAS of Pettindreich in the fifth part of the half of Surastoun. 25th September 1475.

DUNCANUS GRAUNT de Fruchie, miles, prouidis viris Johanni Willyelmi et Johanni Foster burgi de Elgine burgensibus, meis in hac parte balliuis, salutem: Quia omnes et singulas terras meas quinte partis dimedietatis ville de Surastoune cum suis pertinenciis et iuribus vniuersis, infra vicecomitatum de Elgine iacentes, cum consensu et assensu Johannis Graunt, filii et

apparentis heredis mei, nobili viro Jacobo Douglas de Pedindrecht, toto tempore vite sue duranti, dedi, concessi, et easdem confirmaui: Vobis igitur et vestrum cuilibet precipio, et presencium tenore mando, quatenus ad prenotatas terras quinte partis dimedietatis ville predicte cum earundem pertinenciis personaliter accedatis, seu vestrum aliquis accedat, et prefato Jacobo uel suo certo attornato, presencium latori, sasinam earundem, visis presentibus, indilate secundum tenorem et effectum carte mee sibi super premissis terris cum pertinenciis confecte, secundum laudabilem consuetudinem regni Scocie tribuatis, seu vestrum aliquis tribuat; saluo iure cuiuslibet: Ad prelibatum vero faciendum vobis et vestrum cuilibet coniunctim et diuisim plenariam, vnacum officio balliui, committo potestatem per presentes: In signum vero huiusmodi sasine possessionisque eidem per vos tradite, sigillum vestrum in secunda cauda post sigillum discreti viri Johannis Favconer de Murrestoune, cum instancia debita per me procuratum, in defectu sigilli proprii non habiti, presentibus appositum in presencia discretorum virorum Willelmi Hay de Louchloy, Patricii Graunt, Farchardi Lame, et dominorum Roberti Brovne et Johannis Willelmi, capellanorum, diuersorumque aliorum, presentibus appendatis, penes prefatum Jacobum pro toto tempore vite sue remansuris. Datum apud burgum de Elgine predictum, vicesimo quinto die mensis Septembris, anno Domini millesimo quadringentesimo septuagesimo quinto.

41. Notarial Instrument certifying the appointment of Procurators by Elizabeth and Marjory Pilche, for surrendering the lands of Gaich and others in favour of Alexander Hay of Mayne. 20th May 1482.

In Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Domini millesimo quadringentesimo octuagesimo secundo, mensis vero Maii die vicesimo, indictione vltima, pontificatus sanctissimi in Christo patris ac domini nostri domini Sixti diuina disponente clemencia pape quarti anno vndecimo: In mei notarii publici testiumque subscriptorum presencia personaliter constitute prouide mulieres, Elizabeth Pilche et Marioria Pilch, domine terrarum de Gaich et Culcaboch, in suis puris viduitatibus existentes, non vi aut metu ducte nec errore lapse, set suis puris ac liberis voluntatibus, animisque suis deliberatis, vt apparuit, omnibus melioribus modo, forma, via et iure, quibus melius et efficacius potuerunt et debuerunt, fecerunt, constituerunt, crearunt, nominarunt, et solempniter ordinarunt honorabiles et circumspectos viros, Alexandrum Dunbar de Westfelde, militem, Jacobum Dunbar de Connoch, dominum Jacobum Allerdes archidiaconum Morauiensem, Walterum Ogilwy de Auchlewin, Alexandrum Cummyng de Ernissyde, Jacobum Douglace de Pettindreich, et Thomam Cochrane, castri de Kildromme constabularium, et eorum quemlibet insolidum, suos veros legittimos et indubitatos procuratores, irreuocabiles actores, factores et negociorum suorum infrascriptorum gestores, ac nuncios speciales et generales: Ita quod specialitas generalitati non deroget, nec e contra, set quod

vnus eorum inceperit hoc alter eorundem prosequi, mediare valeat et finire: Dantes et concedentes dictis suis procuratoribus et eorum cuilibet, coniunctim et diuisim, suas plenarias potestates et specialia mandata ipsarum nomine et pro eiis ad dimittendum, sursum reddendum, pureque et simpliciter, per fustem et baculum, resignandum, in manibus supremi domini nostri Regis, uel alterius cuiuscunque ad hoc potestatem habentis, in fauorem honorabilis viri Alexandri Hay de Mayne, totas et integras terras suas de Inuerellene, Gaich, Glenbege, Cragyne, Dregye cum pertinenciis, eciam terras de Culcabok, Knokintenuaill, le Auch, infra vicecomitatum de Inuernes iacentes; necnon terras et annuos redditus infra burgum de Inuernes existentes cum pertinenciis, eiisdem Elizabeth et Mariorie iure hereditario spectantes: Libero tamen tenemento predictarum terrarum, annuorumque reddituum predictorum sibi Elizabeth et Mariorie prefatis, pro toto tempore vite ipsarum specialiter reseruato,—et non alias, aliter, neque alio modo: Et generaliter omnia alia et singula facienda, gerenda et excercenda que in premissis et quolibet premissorum necessaria fuerint, seu quomodolibet opportuna, et que ipse Elizabeth et Marioria, facere possent, si premissis personaliter interessent: Promiseruntque dicte Elizabeth et Marioria michi, notario publico subscripto, tamquam publice et autentice persone stipulanti et recipienti vice et nomine omnium et singulorum quorum interest, uel interesse poterit, se ratum et gratum habere et habituras totum id et quicquid per dictos suos procuratores, seu eorum aliquem, coniunctim uel diuisim, actum, factum, gestum ve[l] procuratum fuerit in premissis et quolibet premissorum, sub ypotheca et obligacione omnium bonorum suorum, mobilium et immobilium, presencium et futurorum: Super quibus omnibus et singulis prefate constituentes a me notario publico subscripto sibi fieri pecierunt vnum uel plura, publicum seu publica, instrumentum uel instrumenta: Acta erant hec in domo habitacionis magistri Thome Graunt ecclesie cathedralis Morauiensis canonici, sub anno, mense, die, indictione et pontificatu quibus supra: Presentibus ibidem prouidis et discretis viris, magistro Thoma Graunt prefato, dominis Johanne de Duffous prefate ecclesie Morauiensis capellano, Donaldo Thome notario publico et Thoma Blwnt, cum multis aliis, testibus ad premissa vocatis specialiter et rogatis.

Et ego Willelmus de Duffous, presbyter Morauiensis diocesis, publicus auctoritate Imperiali notarius [*etc.*].

42. Gift by George Earl of Huntly to the Laird of Grant, of the lands of Kynrara, etc., for manrent. 16th September 1483.

Be it kende tyll all men be thir present letteris, ws George erle Huntle, lorde Gordone ande Badzenacht, to haff gyffin, grantit, ande assignit, ande be the tenore off this owre present wyrtis gyffis, grantis, ande assignis to owre lowyt Johne the Grant, sone ande apperende ayre to wmquhill Johne the Grant, sone to Schir Duncane the Grant, all ande haill the foure

dawachis of Kynrara, Raite, Blarowye ande Gask, wyth thaire pertnence, liande in owre lordschipe off Badzhenacht, wythin the schireffdome off Inuernes, for hiis trew maurent and seruice done ande for to be done to ws for all the dais off hiis lyff tyme: The forsaide landis off Kynrara, Raite, Blarowye, ande Gask, to be haldin ande haide to the forsaide Johne the Grant for all the dais ande termes of hiis lyff tyme, be all rychtwys merches, alde and diuidit, as thai ly in lyntht ande brede; wyth cowrt, playnt, vsche off cowrt ande eschet off cowrt, herelde, merchet off vomen; wyth fysching, fowlynde, halkyng, hwnting, aueriage, cariage and bondage; wyth all otheris profyttis, custumis, fredomis, comoditeis, asiamentis, and rychtwys pertinence quhatsumeuer, wyth fre wsche ande intre, wyth common pasture wythin the comwnite off owre saide lordschipe, ande all ande sindry rychtwys pertinence to the forsaide landis off Kynrara, Raite, Blarowye, ande Gask, pertenande or rychtwysly may pertein, frely, quietly, fullely, halely, honorabily, weill and in pece, wythout ony reuocacion or agane calling: Reserwande to ws ande our ayris the ferme multour off the forsaide landis allanerly: The quhilkis forsaide landis wyth thaire pertinence, in all thingis as said is, we the saide George ande owre ayris sall warrande, acquiet, ande defende to forsaide Johne, for all the dais of hiis lyff, lelely and trewly, but fraude or gylle: In wytnes off the quhilk thing, we haff appensit owre sell to this owre present wyrt, at Kyldrwme, the xvj day off Septembris, the zhere off Gode ane thousande foure hundretht auchy-thre zheris; befor thir wytnes, that is to say, Alexander our sone, master of Huntle, Alexander Hwyme off that ilk, Waltyre Ogiluy off Achlewyn, ande Wilzame Forbes off Tolles, wyth otheris diuers.

43. Contract of Marriage between John the Grant and Margaret Ogilvy. 15th September 1484.[1]

Thir Endentowris mad at the Bog of Geith, the xv day of September, the zere of God M°cccc° octogesimo quarto, betuix nobil and honourabil men, James Ogilvy of Deskworth, knycht, one that ane part, and Johne the Graunt, oye and apperand aire to Schir Duncan the Grant of Fruquhy, knycht, one that vthir part: It is fullely appoynttit and accordit, in maner, forme, and effect as efter folows; that is to say, the said Johne, wil God, sal spous and haif to wife Margert Ogiluy, dochter to the said James, and sal be redy to compleit mariage with the said Margreit quhosone or quhensumeuer the said Schir James requiris him thairto, one viij dais warning: For the quhilk mariage to be tretit and compleit, as said is, the said Schir James sal paye and content to the said Johne thre hondreth markis of the gud and vsuale monye of Scotland in this maner, fourty pondis of the said monye at Witsonday nixt efter the date of this writ, and xx pondis at Martimes nixt thairefter, and twenty pondis at Witsonday nixt thairefter, and sua furth, twenty pondis terme efter terme, Witsonday and Martymes, quhil the haile sowme of thre

[1] From the Original Contract in the Charter-room at Cullen House.

hondreth markis be fullely pait and content to the said Johne: And alsua the said Johne sal mak the said Margret be infeft in twenty markis wourth of land, in coniunct feftment, to him and to hir, and yhe langast louffar of thaim, and the barnis to be gettine amangis thaim: And for the securite and fulfilling of the sowmis and coniunct feftment, as said is, the said parteis sal geve ilkain to vthir sufficient bande and obligacion befor the mariage be compleit: Alsua the said Schir James his sone, and Johne, for thairis liftymis, sal stand anefalde leyl and kind, ilkain to vthir, in helpe, supple, consaile, and assistans, in all and sindry thare honest and leissume causis and querellis quhatsumeuir, mouit or to be mouit; and nothir of the said parteis, thare kine, men, and frendis depending apone thame, sal tak nor intromet with ony landis, bailzeoriis, takis, or possessionis fra vthir, or owt of vthiris handis, at thai ar cleid with this day, or at thai hapine eftirwart to cheiwis and ouptene, sua that nothir of thaim uak that vthir of sic takis and possessiones, as said is: Alsua the said parteis sall manteine, keip, and diffend ilkain vthiris rowmis, takis, and bailzeoriis, fra sorning, thigging, oppressione, and stouth, treuly at thair gudly powaris; and speciale sal rewell thair kine, frendis, and seruandis fra al sic injuris. In faith and witnes heirof, and fulfilling of al that is abone wirtine lelyly and treuly, bot fraud or gile, baith the said parteis has sworne the greit aith; and to the parte of this indentouris remanand with the said Johne, the said Schir James has affixit his seyle; and to the part remanand with the said Schir James, the said Johne has procurit with instance the seyle of his singular lord, George erle of Hountlie, lord Gordone and Baidzenach, to be affixit for hime, zere, day, and place befoir writin; befoir witnes, Wiliam Keith, Lauchlain M^{c}Kintoische, Wiliam Grant, with vthiris diuers.

44. Instrument of Resignation of the two Cullarleys in favour of Alexander Stewart. 14th December 1485.

In Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Domini millesimo quadringentesimo octuagesimo quinto, mensis vero Decembris die decima quarta, indictione quarta, pontificatus sanctissimi in Cristo patris et domini nostri, domini Innocencii pape octaui anno secundo: In mei notarii publici et testium subscriptorum presencia, personaliter constitutus honorabilis vir, Robertus Stewart de Abernathy, non vi aut metu ductus, nec errore lapsus, sed sua libera mera et spontanea voluntate, animoque deliberato, ut apparuit, totas et integras terras suas de duabus Cullarleys cum vniuersis pertinenciis suis, infra vicecomitatum de Aberdeyne iacentes, in manibus magnifici et potentis domini, Georgii comitis de Huntlye domini Gordone et de Baydzhenach, premissarum terrarum cum pertinenciis domini superioris, dimisit, extradedit, pureque et simpliciter per fustem et baculum resignauit: Et post huiusmodi resignacionem premissarum terrarum in prefati domini superioris manibus per ipsum, ut premittitur, sponte factam, idem

Robertus prefatum dominum comitem, earundem terrarum dominum superiorem, debita cum instancia supplicando requisiuit, quatenus ipse easdem terras cum pertinenciis Alexandro Stewart, ipsius Roberti filio, conferret et deliberare velit: Vnde prefatus dominus comes, predictarum terrarum, ut premittitur, dominus superior, huiusmodi requisicioni desuper inclinatus, causis racionabilibus ipsius animum ad hoc mouentibus, attemptis et consideratis suis fidelibus seruiciis impensis et impendendis, totas et integras prenominatas terras de duabus Cullayrneis, infra prenotatum vicecomitatum de Aberdeyn sicut premittitur iacentes, cum vniuersis et singulis pertinenciis suis, dicto Alexandro presenti et recipienti, per deliberacionem dictorum fustis et baculi, donauit, libere tradidit et deliberauit; statumque possessionem et sasinam earundem terrarum cum pertinenciis, vnacum carta, litera balliui, aliisque literis ad hoc necessariis, exinde conficiendis, eidem deliberare concessit et promisit: Super quibus omnibus et singulis prefatus Alexander a me notario publico subscripto, sibi fieri peciit vnum uel plura, publicum seu publica, instrumentum uel instrumenta: Acta erant hec in capella beate Marie Virginis ecclesie cathedralis Morauiensis, hora quasi decima ante merediem, vel eocirca, sub anno, mense, die, indictione et pontificatu quibus supra: Presentibus ibidem honorabilibus et circumspectis viris, Jacobo Innes de eodem, Alexandro Cumyng de Ernishede, Andrea Haye, Willelmo Haye, et Barialdo Innes, cum multis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Willelmus de Duffous, presbyter Morauiensis diocesis, publicus autoritate imperiali notarius, quia [*etc., in forma communi*].

45. Instrument of Sasine in favour of John Grant of Freuchie, in the half lands of Freuchie and others. 17th June 1489.

In Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Domini millesimo quadringentesimo octuagesimo nono, mensis vero Junii die decimo septimo, indictione septima, pontificatus sanctissimi in Cristo patris et domini nostri, domini Innocencii diuina disponente clemencia Pape octaui anno quinto: In mei notarii publici et testium subscriptorum presencia personaliter constitutus honorabilis vir Johannes Graunt de Fruchye, vnum breue saisine de capella regia sub testimonio magni sigilli supremi domini nostri Regis, cera alba inclusum et sigillatum, vicecomiti et balliuis suis de Inuernes pro saisina sibi Johanni danda dimedietatis terrarum de Fruchy, de duabus Culquhetis, de duabus Connageis et Glenloquhy cum pertinentiis, infra vicecomitatum de Inuernes iacentium, directum in medium produxit; circumspectoque viro Macolmo Ogilwy vicecomiti deputato de Inuernes pro executione eiusdem presentauit et exhibuit: Quodquidem breue idem vicecomes deputatus, reuerencia qua decuit recipiendo, michi notario publico infrascripto tradidit aperiendum et perlegendum: Cuius breuis tenor sequitur et est talis:—Jacobus Dei

gracia Rex Scotorum, vicecomiti et balliuis suis de Inuernes, salutem: Quia per inquisicionem de mandato nostro per vos factam et ad capellam nostram retornatam compertum est, quod quondam Duncanus Graunt de Fruchy, miles, auus Johannis Graunt latoris presencium, obiit vltime vestitus et saisitus vt de feodo, ad pacem et fidem nostram, de totis et integris terris de dimedio Fruchy, de duabus Culquhetis, de duabus Connageis et Glenloquhy cum pertinenciis, iacentibus infra vicecomitatum nostrum predictum: Et quod dictus Johannes est legittimus et propinquior heres eiusdem quondam Duncani, aui sui, de dictis terris cum pertinenciis: Et quod est legittime etatis: Et quod de nobis tenentur in capite: Vobis precipimus et mandamus quatenus dicto Johanni, vel suo certo actornato, latori presencium, saisinam dictarum terrarum cum pertinenciis iuste habere faciatis et sine dilacione; saluo iure cuiuslibet: Capiendo securitatem de duodecim libris de releuio dictarum terrarum nobis debitis: Et hoc nullomodo omittatis: Teste meipso; apud Edinburgh, vltimo die mensis Marcii, anno regni nostri primo. POST CUIUSQUIDEM breuis productionem, presentacionem, recepcionem et lecturam, prefatus Johannes dictum vicecomitem deputatum debita cum instancia supplicando requisiuit, quatenus ipse ad executionem dicti breuis secundum mandatum in eodem sibi commissum procederet cum effectu: Vnde idem vicecomes deputatus, attendens huiusmodi requisicionem fore iustam et rationi consonam, volens etiam, vt decuit, regiis obedire mandatis, assumptis secum infrascriptis testibus, personaliter accessit primo ad terras de Fruchy, deinde ad terras de Connageis, ibidemque saisinam hereditariam statumque et possessionem omnium et singularum dimedietatis terrarum de Fruchy, de duabus Culquhetis, de duabus Connageis et Glenloquhy, cum pertinentiis suis, infra vicecomitatum de Inuernes iacentium, dicto Johanni per terram et lapidem, vt moris est, saluo iure cuiuslibet, tradidit et deliberauit; eundemque in realem, actualem et corporalem possessionem premissarum terrarum cum pertinentiis induxit et inuestiuit: De et super quibus omnibus et singulis prefatus Johannes Graunt a me notario publico subscripto sibi fieri peciit vnum vel plura, publicum seu publica, instrumentum vel instrumenta: Acta erant hec apud prenotatas terras de Fruchy et Connageis in solis et messwagiis earundem, sub anno, mense, die, indictione et pontificatu quibus supra: Presentibus ibidem prouidis et discretis viris, Johanne Narne de Cromdall, Willelmo Graunt, Johanne Hay, Roberto Duncani, Johanne Myll, Patricio Reach de Achnerver, Finlaio Willelmi, Duncano Willelmi, Macolmo Johannis, Johanne Thome, dominis Johanne Fergusii vicario de Cromdal, Johanne Buttar presbytero, et Johanne Owr in hac parte maro, cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Willelmus de Duffous, presbyter Morauiensis diocesis, publicus auctoritate imperiali notarius, quia premissis [*etc., in forma communi*].

46. Precept of Sasine in favour of John Grant of Freuchie, of the lands of Corroo and Tullochgorm. 14th June 1491.

Georgius comes de Hvntlie ac dominus de Badzenach, dilectis nostris Jacobo Grant in Balnadalocht, Lawchlano Makyntoche de Gallochquhy, Willelmo Bailze de Blakbe, et Johanni Ogilwy de Myltone de Keth, balliuis nostris in hac parte specialiter constitutis, salutem: Quia dedimus et concessimus dilecto nostro Johanni Grant de Frewchy, cum consensu et assensu dilecti primogeniti nostri Alexandri domini de Gordone, totas et integras terras nostras de Corroo et Tollochgorme cum pertinenciis, iacentes in dominio nostro de Badzenacht, infra vicecomitatum de Inuernes, prout in carta nostra dicto Johanni Grant hereditarie desuper confecta plenius continetur; Quare vobis et vestrum cuilibet, coniunctim et diuisim, precipimus et mandamus, quatenus presentibus indilate visis, statum, saisinam et possessionem dictarum terrarum de Corroo et Tollochgorme cum pertinenciis dicto Johanni Grant, aut eius certo attornato, latori presencium, secundum vim, formam et tenorem carte nostre quam desuper habet confectam, hereditarie tradatis, seu alter vestrum tradat; ac eundem Johannem in realem actualem et corporalem possessionem dictarum terrarum de Corroo et Tollochgorm cum pertinenciis inducatis, seu alter vestrum inducat: Ad quod faciendum vobis et vestrum cuilibet, coniunctim et diuisim, nostram plenariam et irreuocabilem tenore presencium committimus potestatem: Et in signum huiusmodi saisine per vos seu alterum vestrum tradite, sigillum saisinam dantis in tercia cauda post sigilla nostra apud dictum Johannem perpetuis temporibus remansuris presentibus appendatis: Datum sub sigillo nostro et dicti nostri primogeniti sigillo, in signo sui consensus et assensus, apud Hvntlie, decimo quarto die mensis Junii, anno Domini millesimo quadringentesimo nonagesimo primo; coram hiis testibus, videlicet, Jacobo Ogilwy de Deskfurde, milite, Waltero Ogilwy de Boyne, Patricio Gordone de Methlik, Johanne Gordone de Awchluchre, Johanne Ogilwy de le Myltone, Andrea [Hay] in Brakow, Roberto Heryng, magistro Roberto Dalloquhy, rectore de Bemyne, et magistro Rychardo Strathachine, rectore de Esse, cum diuersis aliis.

Georg Erl of Howntle. Alex^a L. Gord.

47. Instrument of Sasine in favour of John Grant of Freuchie, in the lands of Corroo and Tullochgorm. 20th June 1491.

In Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno incarnacionis dominice millesimo quadringentesimo nonagesimo primo, mensis vero Junii die vicesimo, indictione nona, pontificatus sanctissimi in Christo patris ac domini nostri, domini Innocencii diuina providencia pape octaui anno septimo: In mei notarii publici et testium infrascriptorum presencia personaliter constitutus honorabilis vir, Johannes Grant

de Frewchy, prouido viro Johanni Ogilwy de Myltoun de Ketht in hac parte balliuo nobilis et potentis domini Georgii comitis de Hvntlie et domini de Badzenacht, quandam literam pergamino scriptam, sigillis dicti domini comitis et nobilis domini Alexandri domini de Gordoun, filii sui primogeniti, rubea cera albe impressa, presentauit : Quam de manibus eius reuerenter accepit et michi notario publico sub[scripto] perlegendam tradidit, huiusmodi sub tenore : GEORGIUS comes de Hvntlie ac dominus de Badzenacht [*etc., ut supra*, No. 46]. QUAM QUIDEM literam alta et intelligibili voce perlegi, et wlgariter exposui : Qua lecta et exposita, idem Johannes Ogilwy balliuus antedictus, autoritate sui officii, acceptis terra et lapide, per eorundem tradicionem dicto Johanni Grant, presenti et accipienti, statum, saisinam et possessionem dictarum terrarum de Corroo et Tollochgorm cum pertinenciis hereditarie, secundum vim, formam et tenorem precepti sibi commissi, tradidit, exhibuit et deliberauit ; ac eundem Johannem Grant in capitali mansione dictarum terrarum induxit, et omnibus aliis exclusis inclusit et inuestiuit : Super quibus omnibus et singulis prefatus Johannes Grant a me notario publico sibi fieri petiit publicum seu publica, instrumentum aut instrumenta, vnum vel plura : Acta erant hec super solum dictarum terrarum, hora decima ante merediem [vel] eocirca, anno, die, mense, indictione et pontificatu quibus supra ; presentibus ibidem prouidis viris, Johanne Grant Paterson, Willelmo Grant . . . son, Johanne Owre Machillaneth, Dauid M^{c}Gilleracht, Allano Stewart, Gylberto Alexandri, Patricio Alexandri, domino Willelmo . . . . rectore de Bonoth, et Dauid Thane, cum diuersis aliis testibus ad premissa vocatis pariter et rogatis.

[Et ego Thomas Cowe], presbyter Aberdonensis diocesis, publicus imperiali et regali autoritatibus, notarius [*etc., in forma communi*].

48. PRECEPT OF SASINE in favour of JOHN GRANT of Freuchie, in the lands of Clewchrie. 4th February 1491.

GEORGIUS comes de Hvntlie ac dominus de Badzenacht, dilectis nostris Jacobo Ogilwy de Drumnaketh, Willelmo Balze de Blakbe, Jacobo Grant in Balnadollocht, et Johanni Ogilwy de Myltoun, balliuis nostris in hac parte specialiter constitutis, salutem : Quia dedimus, concessimus et vendidimus dilecto nostro Johanni Grant de Frewche totas et integras terras nostras de Clewchre cum pertinenciis, iacentes in dominio nostro de Badzenacht, infra vicecomitatum de Inuernes, prout in carta nostra dicto Johanni desuper confecta plenius continetur : Quare vobis et vestrum cuilibet, coniunctim et diuisim, precipimus et mandamus, quatenus presentibus indilate visis, statum, saisinam et possessionem dictarum terrarum de Clewchre cum pertinenciis dicto Johanni Grant, aut eius actornato, latori presencium, secundum vim, formam et tenorem carte nostre, quam inde habet confectam, hereditarie tradatis, seu alter vestrum tradat ; ac eundem Johannem in realem actualem et corporalem

possessionem dictarum terrarum de Clewchre inducatis: Ad quod faciendum vobis et vestrum cuilibet, coniunctim et diuisim, nostram tenore presencium plenariam et irreuocabilem committimus potestatem: Et in signum huiusmodi saisine per vos seu alterum vestrum tradite, sigillum saisinam dantis, in secunda cauda post nostrum, presentibus apud dictum Johannem Grant perpetuis temporibus remansuris appendatis, seu alter vestrum appendat. Datum sub sigillo nostro, apud locum nostrum de Gecht, quarto die mensis Februarii, anno Domini millesimo quadringentesimo nonagesimo primo, coram hiis testibus, videlicet, dilectis nostris Alexandro primogenito nostro domino de Gordon, magistro Adam fratre nostro, decano Cathenensi, Jacobo Ogilwy de Deskfurde, milite, Johanne Lesly de Wardris, Johanne Ogilwy de Myltoun, Jacobo Dowglas de Petindrecht, Alexandro Arboky de eodem, et Andrea Hay marescallo nostro, cum diuersis aliis. GEORG ERL OF HOWNTLE.

49. CHARTER by KING JAMES THE FOURTH to JOHN GRANT of Freuchie, erecting the Barony of Freuchie. 4th January 1493.

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem: Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto nostro Johanni Grant de Freuchequhy omnes et singulas terras et molendina subscripta, videlicet, omnes et singulas terras de Freuchequhy et molendinum earundem cum pertinenciis, le duas Culquheichis, Dailfoure, Auchynnegale, le duas Connygais et molendinum earundem, et Glenlochy cum pertinenciis, iacentes infra vicecomitatum nostrum de Inuernes; ac omnes et singulas terras quinte partis terrarum de Lincauwode, et quintam partem molendini eiusdem, aceciam quinte partis terrarum de Birmukty, quinte partis terrarum de Garboty, necnon dimediam partem terrarum de Inchebary, dimediam partem terrarum de Ordyquhois, dimediam partem terrarum de Mulven, et sex solidatas et octo denariatas terrarum de Surestoun cum suis pertinenciis, iacentes infra vicecomitatum nostrum de Elgyn: Quequidem terre et molendina predicta fuerunt dicti Johannis Grant hereditarie; et quas et que idem Johannes, non vi aut metu ductus, nec errore lapsus, sed sua mera et spontanea voluntate in manus nostras apud Edinburgh personaliter per fustem et baculum sursum reddidit, pureque simpliciter resignauit; ac totum ius et clameum que in dictis terris et molendinis cum pertinenciis habuit seu habere potuit, pro se et heredibus suis, omnino quictumclamauit imperpetuum: Aceciam pro singulari fauore quem gerimus erga dictum Johannem et pro suo fideli seruicio nobis multipliciter impenso, creauimus, vniuimus, annexuimus et incorporauimus, ac tenore presencium creamus, vnimus, annexamus et incorporamus omnes et singulas predictas terras et molendina cum suis pertinenciis in vnam meram et liberam baroniam perpetuis futuris temporibus Baroniam de Freuchequhy nuncupandam: Tenendas et habendas omnes et singulas predictas terras de Freuchequhy et molendinum eiusdem, le duas Culquheichis, Dailfoure, Auchynnegale, le duas Connygais et molendinum earundem, et Glenlochy cum

pertinenciis, quintam partem terrarum de Lincauwode, quintam partem molendini eiusdem, quintam partem terrarum de Byrmukty, quintam partem terrarum de Garboty, dimediam partem terrarum de Inchebary, dimediam partem terrarum de Ordiquhois, dimediam partem terrarum de Mulven et sex solidatas et octo denariatas terrarum de Surestoun cum suis pertinenciis, sic vt premittitur, in vnam meram et liberam baroniam creatas, vnitas, annexatas et incorporatas, dicto Johanni Grant et heredibus suis, de nobis et successoribus nostris, in feodo et hereditate imperpetuum; per omnes rectas metas suas antiquas et diuisas, prout iacent in longitudine et latitudine, in boscis, planis, moris, marresiis, viis, semitis, aquis, stagnis, riuolis, pratis, pascuis et pasturis, molendinis, multuris et eorum sequelis, aucupacionibus, venacionibus, piscacionibus, petariis, turbariis, carbonariis, lapicidiis, lapide et calce, fabrilibus, brasinis, brueriis et genestis; cum curiis et earum exitibus, herezeldis, bludewitis et merchetis mulierum; cum tenentibus, tenandriis et liberetenencium seruiciis; cum furca, fossa, sok, sak, tholl, theme, infangtheif, outefangtheif, pit et gallous; ac cum omnibus aliis et singulis libertatibus, commoditatibus et asiamentis, ac iustis pertinenciis suis quibuscunque, tam non nominatis quam nominatis, tam subtus terra quam supra terram, procul et prope, ad predictas terras et molendina cum pertinenciis spectantibus sue iuste spectare valentibus quomodolibet in futurum; libere, quiete, plenarie, integre, honorifice, bene et in pace, sine reuocacione aut contradictione quacunque: Reddendo inde annuatim dictus Johannes Grant et heredes sui nobis et successoribus nostris, pro omnibus et singulis dictis terris de Freuchequhy, molendino earundem, le duabus Culquheichis, Dailfoure, Auchynnegall, le duabus Connegais et molendino earundem, et terris de Glenlochy cum suis pertinenciis, tres sectas ad tria placita capitalia vicecomitatus nostri de Inuernes, ac wardas, releuia et maritagia, cum contigerint; aceciam pro omnibus et singulis dictis terris quinte partis terrarum de Lyncauwode, quinte partis molendini eiusdem, quinte partis terrarum de Byrmukty, quinte partis terrarum de Garboty, dimedie partis terrarum de Inchebary, dimedie partis terrarum de Ordyquhois, dimedie partis terrarum de Mulven, et sex solidatas et octo denariatas terrarum de Surestoun cum suis pertinenciis, tres sectas ad tria placita capitalia vicecomitatus nostri de Elgyn, ac wardas, releuia et maritagia earundem, cum contigerint: In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus: Testibus, reuerendissimo in Cristo patre, Roberto archiepiscopo Glasguensi; dilectis consanguineis nostris Archibaldo comite Angusie domino Dowglas, cancellario nostro, Patricio comite de Boithuile domino Halis, Alexandro domino Hume, magno camerario nostro, Roberto domino Lile, Johanne domino Glammys, iusticiariis nostris, Andrea domino Gray, magistro hospicii nostri; venerabilibus in Cristo patribus, Henrico abbate de Cambuskynneth, thesaurario nostro, Jacobo abbate de Scona; et dilectis clericis nostris, magistris Ricardo Murehede decano Glasguensi, secretario nostro, et Johanne Fresale, decano de Lestalrig, nostrorum rotulorum et registri ac consilii clerico; apud Edinburgh, quarto die mensis Januarii, anno Domini millesimo quadringentesimo nonagesimo tercio, et regni nostri sexto.

50. Charge by King James the Fourth to desist from distraining John the Grant of Freuchie for fines imposed for non-entry. 10th June [1498].

James, be the grace of God King of Scottis, to oure scheriffis of Inuernes, Elgin and Forres, and Banf, and thair deputis, greting: Forsamekle as Johne the Grant of Fruquhy was adiugiit in certane somes of monee, in oure justice airis last haldin within the boundis of zoure offices, for non-entree of himself and diuers other personis to oure said airis, as is contenit in the extretis of the samyn; quhilkis somez we haue remittit and forgevin to the said Johne for the some of foure hundreth merkis vsuale monee of oure realme of gude and reddy payment to be maid to [our] thesaurar, and for his gude and thankfull seruice done to ws in the taking of Alane More M^cKewin and his complicis, and inbringing of the sammyn, and in the taking of Finlaw Gibbounson in the Bray of Mar, to be brocht to ws be the said Johne: Oure will is herfor, and we charge zow straitlie and commandis that ze, incontinent thir oure letteris sene, decist and ces fra all punding and distrenzeing of the said Johne for ony somez conteinit in the extretis of oure saidis justice airis haldin within the boundis of zour offices; and the hale somez contenit in the saidis extretis sall be allowit to zow in zour compt, ze bringand the actentik copy of thir oure letteris for zour warand, deliuering the samyn be zow sene and vndirstandin agane to the berar to schaw in oure chekker. Gevin vnder oure signet, at Edinburgh, the tend day of Junii, and of oure regne the tend zer.

James R.

Per hanc literam allocantur vicecomiti de Inuernes iij^c^xxxiij ℔. vj s. viij d.

J. Murray.

Per hanc literam allocantur vicecomiti de Banf, reddito anno quingentesimo primo de amerciamento Walteri Ogilby et Alexandri domini Gordon, plegiorum Johannis Grant, iij^c ℔.

J. Murray.

51. Charter by King James the Fourth to John Grant of Freuchie, of the lands of Glencarnie and Balnadallach. 4th February 1498.

Jacobus Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem: Sciatis nos, pro bono fideli et gratuito seruicio nobis per dilectum nostrum Johannem Graunt de Freuchy, tam tempore pacis quam guerre, impenso et impendendo, dedisse, concessisse, et hac presenti carta nostra confirmasse dicto Johanni totas et integras terras nostras de Glencarnee et Balnadalach, cum molendinis earundem, cum suis pertinenciis, iacentes infra vicecomitatum nostrum de Elgin et Fores: Tenendas et habendas totas et integras predictas terras de Glencarnee et Balnadalach cum molendinis earundem, cum suis

pertinenciis, dicto Johanni Grant et heredibus suis de nobis et successoribus nostris, in feodifirma et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, prout iacent in longitudine et latitudine, in boscis, planis, moris, merresiis, viis, semitis, aquis, stagnis, riuolis, pratis, pascuis et pasturis, molendinis, multuris et eorum sequelis, aucupacionibus, venacionibus, piscacionibus, petariis, turbariis, carbonariis, lapicidiis, lapide et calce, fabrilibus, brasinis, bruerriis et genestis, cum curiis et earum exitibus, herezeldis, bludewitis, et merchetis mulierum, ac cum omnibus aliis et singulis libertatibus, commoditatibus, et asiamentis, ac iustis pertinenciis suis quibuscunque, tam non nominatis quam nominatis, tam subtus terra quam supra terram, procul et prope, ad predictas terras et molendina cum pertinenciis spectantibus seu iuste spectare valentibus quomodolibet in futurum; libere, quiete, bene et in pace, sine aliqua reuocacione seu contradictione per nos vel successores nostros quouismodo inde facienda in futurum: Reddendo inde annuatim dictus Johannes Graunt et heredes sui nobis et successoribus nostris, pro predictis terris et molendinis earundem cum pertinenciis, summam septuaginta vnius librarum vsualis monete regni nostri, ad duos anni terminos consuetos, festa, videlicet, Penthecostes et Sancti Martini in yeme, per equales porciones, nomine feodifirme tantum: Et si contigerit, quod absit, dictum Johannem vel heredes suos deficere in solucione dicte summe ad terminos suprascriptos, vel saltem in solucione firme vnius termini ante aduentum secundi termini Penthecostes vel Sancti Martini proxime inde sequentis, volumus quod huiusmodi donacio et infeodacio nostre deinde nullius sint valoris seu efficacie: In cuius rei testimonium, presenti carte nostre magnum sigillum nostrum apponi precepimus: Testibus, reuerendo in Cristo patre, Willelmo episcopo Abirdonensi, nostri secreti sigilli custode; dilectis consanguineis nostris Georgeo comite de Huntle domino Badezenath, cancellario nostro, Archibaldo comite de Ergile domino Campbell et Lorne, magistro hospicii nostri, Patricio comite de Bothuile domino Halis, Alexandro domino Hume, magno camerario nostro, Roberto Lundy de Balgony, milite, thesaurario nostro; et dilectis clericis nostris, magistris Ricardo Murehede, decano Glasguensi, secretario nostro, et Waltero Drummonde, decano Dunblanensi, nostrorum rotulorum et registri ac consilii clerico: Apud Linlithqw, quarto die mensis Februarii, anno Domini millesimo quadringentesimo nonagesimo octauo, et regni nostri vndecimo.[1]

52. Precept of Sasine to John Grant of Freuchie, of the lands of Nether Achinquhorsk. 16th April 1505.

Johannes Narne, baro de Cromdaill, dilectis meis Georgio Leslye de Dunberach, Johanni Lame de Tullachcaroun, Swin the Gravnt, et Patricio Gravnt, balliuis meis in hac parte

[1] Sasine was given on a precept following on this Charter, dated at Linlithgow, 4th February 1498, and directed to James Ogilvy of Drumnaketh, at the place of Mulquharde, as the principal messuage of the said lands. The Instrument of Sasine is dated 8th April 1499. [Original Instrument at Castle Grant.]

specialiter et irreuocabiliter constitutis, salutem: Quia, vtilitate mea vndique preuisa et prepensata, pure venditionis titulo vendidi et alienaui honorabili viro, Johanni Gravnt de Fruchy, totas et integras terras meas dimedietatis ville mee de Neddir Achinquhorsk cum pertinentiis, in baronia mea de Cromdaill et infra vicecomitatum de Inuernes iacentes, cum earum pertinenciis, a me, heredibus et assignatis meis quibuscunque, prout in carta mea sibi Johanni Gravnt exinde confecta plenius continetur: Vobis, igitur, et vestrum cuilibet, coniunctim et diuisim, precipio et mando et supplicando requiro, quatenus visis presentibus saisinam hereditariam, statumque et possessionem omnium et singularum terrarum predictarum dimedietatis ville predicte de Neddir Achinquhorsk cum pertinenciis, vt predicitur iacentium, predicto Johanni Gravnt, uel eius certo actornato aut procuratori, latori presencium, secundum vim, formam et tenorem carte mee sibi Johanni Grawnt a me, heredibus et assignatis quibuscunque exinde confecte, conferre curetis indilate: Et hoc nullomodo omittatis: Ad quod faciendum vobis et vestrum cuilibet, coniunctim et diuisim, meam omnimodam committo, saluo iure cuiuslibet, potestatem: In cuius rei testimonium possessionis et saisine per vos seu alterum vestrum tradite et deliberate, in secunda cauda post meum presentibus appendatis: Datum sub sigillo meo proprio, apud burgum de Elg[in], xvj^to^ die mensis Aprilis, anno Domini millesimo quingentesimo quinto, coram hiis testibus, videlicet, venerabilibus viris, magistris Thoma Lesly, Willelmo Mowat, canonicis ecclesie cathedralis Morauiensis, dominis Willelmo Patricii, rectore de Balleskane, Jacobo Brovun vicario de Cromdall, Johanne de Pettincasch, capellano, et domino Johanne Sclatar, notario publico.

53. PRECEPT OF SASINE to JOHN CALDER, precentor of Ross, of the two Tulliglens. 23d February 1506.

THOMAS KYNNARD de Culbin, dilectis meis Georgeo Falconer de Leching, Willelmo Hay de Lechloye, Alexandro Vrquhart de Burriszardis, Georgeo Dunber, et Jacobo Chesselyme, ac eorum alteri, coniunctim et diuisim, balliuis meis in hac parte irreuocabiliter constitutis, salutem: Quia dedi et concessi hereditarie circumspecto clerico, magistro Johanni Caudor, precentori Rossensi, totas et integras terras meas de duabus Tulleglennis cum pertinenciis, iacentes in baronia de Culbin infra vicecomitatum de Fores: Quequidem terre de Owyir Tulleglennis fuerunt Duncani Paulsone hereditarie, et prefate terre de Nethyr Tulleglennis fuerunt Thome Farsson hereditarie; et quas terras cum pertinenciis idem Duncanus et Thomas in manus meas, apud Dunde, per fustim et baculum, per suos procuratores sursum reddiderunt, prout in carta mea desuper confecta plenius continetur: Vobis, igitur, coniunctim et diuisim, precipio et mando quatenus dicto magistro Johanni, vel suo certo actornato, latori presencium, saisinam, statum hereditarium et possessionem de totis et integris predictis

terris de duabus Tulleglennis cum pertinenciis, iuste et sine dilacione tradatis, seu alter vestrum tradat, secundum tenorem carte mee desuper confecte: Ad quod faciendum vobis, coniunctim et diuisim, meam in hac parte irreuocabilem committo potestatem: Et in signum sasine per vos aut vestrum vnum sic date, sigillum vestrum in secunda cauda post meum presentibus appendatur: In cuius rei testimonium sigillum meum presentibus est appensum, apud Dunde, vigesimo tercio Februarii, anno Domini millesimo quingentesimo sexto; hiis testibus, Andrea Kynnard de Skellbo, filio meo et herede apparente, Thoma Kynnard, Jacobo Scrymgeour, Willelmo Dog, Dauid Kynnard de Kyninmond, Valtero Kynnard, et Roberto Seras, notario publico.

54. Letters by George Earl of Rothes appointing John the Grant of Freuchie his assignee to redeem the lands of Muldare. 25th October 1507.

Be it kend tyll all men be thir present letteris, ws, George Erill of Rothas lord Leslye and barowne off Ballynbrecht, tyll hewe mayd, constitut, and ordand, and be the tenour off thir present letteris makis, constitutis, and ordanys owr weylbelowyt Johne the Grant of Frwquhy owr werray lawchfull, wndowtyt, and irreuocable assigna: Gyffand, grantand, and committand to owr sayd assigna owr full plane power, expres byddyng, and speciall command, for ws and in owr name, to pas to the presens off Alexander Gordone off Brekowcht, gyff he may be persnarlye apprehendyt, at the chymmyce off Mwldare, and failzeand thairoff, wpone ane Sonday or ony othir solempnyt day, within the parroch kyrk off Rothas, in tyme off the solempnyte off the hye mess, to warne the sayd Alexander, his airis and assignais, to resawe the sowme off ane hunderycht sax pundis thretene syllyns and fowr pennys off the wsuall mone off Scotland, for the full redempcione and owtquityng off the landis off Mwldare forsaid with thar pertynence, lyand within the baronrye of Rothas and schireffdome off Elgyn, efter the tenour, forme, and effec off the revercione mayd thairwpone in all pounctis and articlis contenyt in the sammyn; and to nwmer the sayd mone wpone the hye alter off the sayd kyrk, and offer the sammyn to the sayd Alexander, his airis or assignais, and requyr thame, coniunctlye or seueralye, to resyng and owrgewe all and haill the said landis off Mwldare, with thar pertynence, togyddir with all charteris, letteris off balzere, instrumentis of seisyng, and all wthir euidentis mayd to the said Alexander, his airis ande assignas, be wmquhyll George Erll of Rothas, owr grantschir, quhome God assolze; instrumentis and documentis tyll lyft and rais, gyff neyd beys, efter the tenour off the sayd reuertione; and generalie all and syndry othir thyngis to excers ws, and do that to the office off assigna in to sic thynggis constitut pertenys, or is knawyne to pertene, or that we mycht do and we war present in propir persone: Ferme and stable haldand, off [and] for tyll hald all and quhatsumeir thyngis the said Johne, owr assigna, in the premissis for the redemyng off sayd landis of Mwldare in owr nayme ledis to be doyne, wnder the ved and oblissyng of all our gudis present and for

to cum: In wytnes heroff owr seyll is appensyt at Falkland to thir presentis, the twentye fyft day off the moneth off October, in the zeir of God a thowsand fyff hunderycht and sewyne zeris; befor thir wytnes, Thomas Flemyng, James Hawere, burges off Falkland, Andro Forsytht, Alexander Spens, Schiris Alexander Farquharsone, wiccar off Mwrchle, Thomas Berclay, wyccar off Echt, and Walter Berclay, chapellanys, with wtheris diuers.

55. Contract between John Grant of Freuchie and John Cuming of Ernished. 8th November 1508.

In Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno incarnacionis Dominice millesimo quingentesimo octauo, mensis vero Nouembris die octaua, indictione duodecima, pontificatus sanctissimi in Christo patris et domini nostri domini Julii diuina prouidencia Pape secundi anno sexto: In mei notarii publici et testium subscriptorum presencia, personaliter constitutos, per et inter honorabiles viros, Johannem Grant de Fruchuy ex vna, et Johannem Cuming de Ernished partibus ex altera, fuit appunctum in hunc qui sequitur modum: At Altre, the viij day of Nouembre, the zere of God j^{m}v^{c} and aucht zeris, it is appunctit and fathfully agreit betuix honorable men, Jhone the Grant of Fruchuy on that ane pairt, and Jhone Cuming of Ernished on that othir pairt, in maner, forme, and effect as eftir folovis: That is to say, for the fulfilling of ane contract maid betuix the sadis pairteis at Elgin, of the dait the x day of Maii last bypast, vndre forme of instrument, the said Jhone the Grant hes deliuerit and pait to the sad Jhone Cuming ane hundreth merkis, vsual mone of Scotlande, in pairt of payment of the said Jhone Cumingis sonis [and] airis mareag; and thairof for him, his ayris, executouris, and assignais, quietclamis and dischargis the sad Jhone the Grant, his ayris, executouris, and assignais, now and for euir, be thir presentis: And as to the tuenty pundis worth of land, as wes commonit at the making of the first contract, at the sad Jhon Cuming suld mak be gevin in coniunctfeftment to his son and apperand are, and the sad Jhon the Grantis dochtir, the sad Jhone Cuming now oblissis him, be the fayth and treuth in his body, to mak the sadis tuenty l̄. land, wīthin thre moneth eftir the completing of the mareage betuix his sone and the dochtir of the said Jhone the Grant, to be resignit in our souerane lordis handis, and gottin agane be chartir and seysing in coniunctfeftment to thame and thare ayris: And gif it sall happin the sad Jhone Cuming to deces or the sad mareage be solemnizat, than he sall leif his sone ane mane to furnis the bying of his sonnis mareage to the sad Jhone the Grantis dochtir, as the first contract proportis, sa at the sad Jhone Cumingis sone and are sal mary na othir woman than ane of the said Jhon the Grantis dochtiris: And gif the sad John Cumingis sone and are refus or postponis to complet mareage with the said Jhone the Grantis dochtir, than and in that case the mareage gudis to be doublit, and payment of doubling for costis and skathis

sustenit be the sad Jhon the Grant, to be pait to him and his ayris: And the said Jhone the Grant sal at his gudlie power assist and forthir the said Jhone Cuming and his ayris in the paceable bruking of the landis of Ordiquhische, and in the perseving of the sammyn, bayth landis and watteris: And as tueching the excambium of the landis contenit in the first contract of the date forsad, ilk ane of thame sal caus thair procutoriis of resignacion for the infeftmentis to be maid of the landis contenit in the sad contract, to be maid, selit, and deliuerit in the best and sekirast wis thai can devis, for getting of thair infeftmentis and halding of thai landis, as the sad contract of the date forsad proportis; and that to be done betuix the date herof and Zul nixt to come: And the sadis parteis ar bayth content samekle landis as four merkis and ane half worth of land extendis to ma be gottin be the said Jhone the Grant, and his ayris or assignais, to the sad Jhone Cuming, his ayris or assignais, that the said Jhone Cuming and his ayris bruk and iois foure merkis and ane half worth of ony pairt of the landis he hes now at ar to be resignit in our souerane lordis handis, efter the forme of the first contract, ay and quhil he fynd him the sad Jhone Cuming samekle land in ane competent place; and the tyme of the deliuering of thir infeftmentis or procuratoriis of resignacion, ather of thame to fynd and mak securiteis and varandice to otheris of landis be the sycht of men of vnderstanding, but inconuenientis: And the sadis pairteis ar content at Dauid Douglas, William Dumbrek, and Barald Innes consider the awail of the fyve pairt of Surastoun and half Gerboty; and Jhone Cuming is content to bruk the half landis of Cardny for thre merkis and ane half land, and ane merk land of Lytil Balnabrochis, quhilk extendis to the sadis four merk and ane half worth of land, ay and quhil Jhone the Grant or his ayris get him or his ayris samekle land, as sad is: And this to be extendit in gud and sekir forme: Subscriuit be the sadis pairteis, day, zere, and place forsad; before thir witnes, Alexander Cuming of Altre, Patrik Cuming, Schir Alexander Ferchardsone, Jhone Dunbar in Fores, Cristy Cuming, Duncan M^cRothe, William Cuming, and maister Andro Sinclar, notar publict, with otheris diuers: Subscriptiones sunt tales, Jhone the Grant of Fruchuy, Jhone Cuming of Ernished. De et super quibus omnibus et singulis prefatus Johannes Grant a me notario publico subscripto sibi vnum uel plura, publicum uel publica, fieri peciit instrumentum seu instrumenta: Acta erant hec in aula de Altre, hora decima ante meridiem uel eocirca, sub anno, mense, die, indictione et pontificatu quibus supra; presentibus ibidem testibus premissis ad premissa vocatis pariter et rogatis.[1]

Et ego Andreas de Sancto Claro, presbyter Aberdonensis diocesis, publicus apostolica et regali auctoritatibus notarius [*etc. in forma communi*].

[1] The instrument referred to in the above contract contains provisions for the marriage of Thomas Cumming, son and heir-apparent of John Cumming of Ernside, whom failing, Alexander Cumming, brother of the said Thomas, or any other son of the said John that should succeed to his heritage; and Margaret Grant, daughter of the said John Grant, whom failing, the elder of the daughters of the said John Grant, etc. Dated 10th May 1508. [Original Instrument at Castle Grant.]

56. Precept of Sasine in favour of James Dunbar of Auldcasche, in the lands of Auldcasche. February 1508.

Jacobus Dunbar de Cumnok, successor et heres quondam Alexandri Dunbar de Westfeild, militis, dilectis meis Dauid Dunbar de Durris, Waltero Innes de Touchis, Johanni Dunbar burgensi de Fores, Willelmo Balze de Blakby, Roberto Crukschank et ac eorum alteri, coniunctim et diuisim, balliuis meis in hac parte specialiter constitutis, salutem: Quia dedi et concessi hereditarie dilecto consanguineo meo, Jacobo Dunbar de Auldcasche, omnes et singulas terras de Auldcasche cum suis pertinenciis, iacentes infra vicecomitatum de Elgin: Quequidem terre de Auldcasche cum suis pertinenciis fuerunt Jacobi Dunbar antedicti hereditarie; et quas idem Jacobus, non vi aut metu ductus, nec errore lapsus, compulsus aut coactus, sed sua mera pura et spontanea voluntate, in manibus meis tanquam in manibus domini sui superioris earundem, personaliter apud Edinburgh coram fidedignis testibus sursum reddidit, ac per fustem et baculum pureque simpliciter resignauit, prout in carta mea dicto Jacobo desuper confecta plenius continetur: Vobis, igitur, et vestrum cuilibet, coniunctim et diuisim, precipio et mando, quatenus visis presentibus indilate sasinam, statum et possessionem hereditariam omnium et singularum predictarum terrarum de Auldcasche cum suis pertinenciis prefato Jacobo Dunbar, vel suo certo actornato, latori presencium, secundum tenorem dicte carte mee quam inde habet, iuste deliberetis et haberi faciatis sine dilacione: Et hoc nullo modo omittatis: Ad quod faciendum, vobis et vestrum cuilibet, coniunctim et diuisim, meam plenariam liberam et irreuocabilem potestatem committo per presentes: In cuius rei testimonium sigillum meum presentibus est appensum, apud Edinburgh die mensis Februarii, anno Domini millesimo quingentesimo octauo.

57. Charter by John Cuming of Ernished to John Grant of Freuchie, of the half of Mulben and the lands of Mekle Balnabrochis. 29th June 1509.

Omnibus hanc cartam visuris uel audituris, Johannes Cuming de Ernished, salutem in Domino sempiternam: Noueritis me, non vi aut metu ductum, dolo aut fraude circumuentum, set mea libera et spontanea voluntate, animoque deliberato, dedisse, concessisse, et pure vendicionis titulo pro perpetuo alienasse, tenoreque presentis carte mee dare, concedere, et pure vendicionis titulo pro perpetuo alienare et confirmare nobili viro, Johanni Grant de Fruchuy, omnes et singulas terras meas subscriptas, videlicet, dimedietatem terrarum de Mulben, et omnes et singulas terras de Mekle Balnabrochis, cum pertinenciis, iacentes infra vicecomitatum de Elgin, pro quadam summa pecunie michi per dictum Johannem Grant, tempore confectionis presencium, integre deliberata et plenarie persoluta; de qua teneo me bene contentum et solutum, dictumque Johannem Grant, heredes suos, executores et assignatos, pro me, here-

dibus meiis, executoribus et assignatis, de eadem quietumclamo imperpetuum, per presentes: Tenendas et habendas omnes et singulas prefatas terras, videlicet, dimedietatem terrarum de Mulben, et prefatas terras de Mekle Balnabrochis, cum pertinenciis, prefato Johanni Grant de Fruchuy, heredibus suis et assignatis, de supremo domino nostro Rege et successoribus suis, regibus Scocie, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, in boscis, planis, moris, marrasiis, pratis, pascuis et pasturis, molendinis, multuris et eorum sequelis, aucupacionibus, venacionibus, et piscacionibus, petariis, bruariis et carbonariis, columbariis et cuniculariis, cum curiis, et earum exitibus, viis, semitis et nemoribus, herieldis, bludwetis, et mulierum marchaetis, et cum omnibus aliis et singulis libertatibus, commoditatibus, et aysiamentis, et iustis suis pertinenciis, quibuscunque, tam non nominatis quam nominatis, tam subtus terra quam supra terram, tam procul quam prope, ad dictas terras cum pertinenciis spectantibus seu iuste spectare valentibus quomodolibet in futurum; cum communi pastura, et libero introitu et exitu ad eandem; adeo libere, quiete, plenarie, integre, bene et in pace, sicut alique terre infra regnum Scocie dantur, conceduntur aut alienantur, sine retinemento aut reuocacione aliquali: Faciendo inde annuatim prefatus Johannes Grant de Fruchuy, heredes sui et assignati, supremo domino nostro Regi et successoribus suis, iura et seruicia de dictis terris debita et consueta, tantum, pro omni alio seruicio, exaccione, consuetudine seu demanda, que de dictis terris, cum pertinenciis, exigi poterint aut requiri: Et ego vero prefatus Johannes Cuming de Ernished, heredes mei et assignati, omnes et singulas prefatas terras, videlicet, dimedietatem terrarum de Mulben, et dictas terras de Mekle Balnabrochis cum pertinenciis, prefato Johanni Grant de Fruchuy, heredibus suis et assignatis, sicut superius expressatum est, contra omnes mortales varantizabimus, acquietabimus, et imperpetuum defendemus: In cuius rei testimonium, sigillum meum proprium huic presenti carte mee est appensum, apud burgum de Elgin, penultimo die mensis Junii, anno Domini millesimo quingentesimo nono; coram hiis testibus, venerabilibns viris, videlicet, magistris Johanne Spens, succentore et officiali Morauiensi, Thoma Lesly, prebendario de Kingusy, Johanne Vedall, subdecano Morauiensi; Dauid Douglas de Pettindrech, Georgeo Lesly, capitaneo de Rothes; Willelmo Douglas, Alexandro Gaderar, Alexandro Catour, burgensibus burgi de Elgin; et magistro Andrea de Sancto Claro, vicario de Lagan, notario publico, cum diuersis aliis.

58. Confirmation by King James the Fourth of the preceding Charter. 31st July 1509.

Jacobus Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem: Sciatis nos quamdam cartam vendicionis et alienacionis, factam per Johannem Cumyng de Ernsheide dilecto nostro Johanni Graunt de Fruchy, de dimedietate terrarum de

Mulben ac de omnibus et singulis terris de Mekle Balnabrochis cum suis pertinenciis, iacentibus infra vicecomitatum nostrum de Elgin, de nobis et successoribus tenendis, de mandato nostro visam, lectam, inspectam et diligenter examinatam, sanam, integram, non rasam, non cancellatam, nec in aliqua sui parte suspectam, ad plenum intellexisse, sub hac forma :—OMNIBUS hanc cartam visuris vel audituris, Johannes Cumyng de Ernishede [*etc., ut supra*, No. 57]. QUAMQUIDEM cartam, ac vendicionem et alienacionem in eadem contentas, in omnibus suis punctis et articulis, condicionibus et modis ac circumstanciis suis quibuscunque, forma pariter et effectu, in omnibus et per omnia, approbamus, ratificamus, et pro nobis et successoribus per presentes, vt premissum est, pro perpetuo confirmamus ; saluis nobis et successoribus iuribus et seruiciis dictarum terrarum cum pertinenciis ante presentem nostram confirmacionem debitis et consuetis : In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus : Testibus, reuerendissimo reuerendoque in Christo patribus, Jacobo archiepiscopo Glasguensi, thesaurario nostro, Willelmo episcopo Abirdonensi nostri secreti sigilli custode, dilectis consanguineis nostris, Archibaldo comite de Ergile domino Campele et Lorn, magistro hospicii nostri, Matheo comite de Levenax domino Dernlie, Andrea domino Gray, iusticiario nostro, et dilecto clerico nostro, magistro Gawino Dunber, archidiacono Sanctiandree, nostrorum rotulorum, registri et consilii clerico ; apud Edinburgh, vltimo die mensis Julii, anno Domini millesimo quingentesimo nono, et regni nostri vicesimo secundo.

59. CHARTER by KING JAMES THE FOURTH to JOHN GRANT of Freuchie, erecting the Barony of Urquhart. 8th December 1509.

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis nos post dissolucionem per nos cum auisamento et consensu trium regni nostri statuum in plano parliamento nostro factam, de annexacionibus terrarum corone nostre et assedacione earundem in feodifirma, pro policia et edificacione infra regnum nostrum habendis, et in augmentacionem nostri rentalis, et proficuo patrimonii corone nostre, ac etiam pro policia et edificacione ac bono regimine in terris subscriptis inter inhabitantes earundem habendis, et ad faciendum ipsos legibus nostris obedientes qui retroactis temporibus indomiti et inobedientes eisdem nostris legibus fuerunt, dedisse, concessisse, et ad feodifirmam dimisisse et hac presenti carta nostra confirmasse dilecto nostro Johanni Graunt de Fruchy et heredibus suis masculis omnes et singulas terras subscriptas, videlicet, duodecim mercatas terrarum de Bordlande de Vrquhart, cum castro et fortalicio earundem, sex mercatas terrarum de Kill Sancti Niniani cum molendino earundem, sex mercatas terrarum de Karowgar, sex mercatas terrarum de Drumboy, tres mercatas terrarum de Wester Bunlaode, tres mercatas terrarum de Middilbunlaode, tres mercatas terrarum de Esterbunlaode, sex mercatas terrarum de Ballymakauchane, sex mercatas terrarum de Gartale, sex mercatas terrarum de Polmale et

Dulchangy, nouem mercatas terrarum de tribus Inchbrunys, tres mercatas terrarum de Mekle Deveauch, cum officio forestarie foreste de Cluny, cum mappalibus le schelys dicte foreste; extendentes in integro ad quadraginta sex libratas terrarum noui extentus, prout in nostro nouo rentali continetur, iacentes in dominio nostro de Vrquhart, et infra vicecomitatum nostrum de Inuernys; reseruata tamen nobis et successoribus nostris proprietate dicte foreste nostre de Cluny, cum mappalibus, videlicet, le schelys earundem: Ac etiam, pro bono gratuitoque seruicio nobis impenso et impendendo per dictum Johannem, et pro spetialibus fauoribus quos sibi gerimus, fecimus, creauimus, vniuimus, annexuimus et incorporauimus, et hac presenti carta nostra facimus, creamus, vnimus, annexamus, et incorporamus omnes et singulas dictas terras, cum castro, fortalicio, molendino, et officio forestarie, cum suis pertinenciis, in vnam integram et liberam baroniam, omnibus affuturis temporibus nuncupandam baroniam et feodifirmam de Vrquhart, et dictum castrum et fortalicium earundem fore capitale messuagium dicte baronie pro perpetuo; et quod vnica sasina per dictum Johannem et heredes suos masculos apud dictum capitale messuagium capienda stabit et sasina sufficiens erit pro omnibus suprascriptis terris, molendino, castro, et fortalicio, absque aliqua alia speciali seu particulari sasina desuper capienda: Tenendas et habendas totas et integras dictas terras de Bordlande de Vrquhart, cum castro et fortalicio earundem, terras de Kill Sancti Niniani, cum molendino earundem, Karowgar, Drumboy, Westerbunlaode, Middilbunlaode, Esterbunlaode, Ballymakauchane, Gartale, Polmale et Dulchangy, Inchbrunys, Mekle Deveauch, cum officio forestarie foreste de Cluny, cum mappalibus, videlicet le schelys dicte foreste, extendentes in integro, vt supra, cum suis pertinenciis predictis, exceptis prius exceptis, nunc creatas, vnitas, annexatas et incorporatas in vnam integram et liberam baroniam, vt premittitur, dicto Johanni Graunt et heredibus suis masculis de nobis et successoribus nostris, in feodifirma et hereditate ac libera baronia imperpetuum, per omnes rectas metas suas antiquas et diuisas, prout iacent in longitudine et latitudine . . . iustis suis pertinenciis quibuscunque . . . ad predictas terras, castrum, fortalicium, molendinum et officium forestarie . . . spectantibus, seu iuste spectare valentibus quomodolibet in futurum, libere . . . bene et in pace, absque aliqua reuocacione, obstaculo, aut contradictione aliquali: Reddendo inde annuatim dictus Johannes et heredes sui masculi nobis et successoribus nostris, pro omnibus et singulis predictis terris et baronia, cum castro, fortalicio, officio forestarie et molendino cum suis pertinenciis, exceptis terris de Petcarill Chapell, quas capelle Sancti Niniani de Vrquhart reseruamus, super quibus nullo modo disponere volumus, summam quadraginta sex librarum vsualis monete regni nostri, ad duos anni terminos consuetos, festa videlicet Penthecostes et Sancti Martini in hieme, per equales portiones, secundum tenorem dicti nostri noui rentalis; prouiso tamen quod solucio firme vnius termini non differatur nec currat in alium terminum; et si sic fieri contigerit, dictus Johannes et heredes sui masculi duplicabunt firmam illius termini sic insolutam remanentem: Acciam heredes masculi dicti Johannis nobis et successoribus nostris reddendo et soluendo duplum

dicte feodifirme seu summe quadraginta sex librarum predictarum ad eorum primum introitum ad terras et baroniam prescriptas, vt est consuetudo feodifirme, vna cum maritagio heredis siue heredum ad dictas terras et baroniam succedentium cum contigerit: Reddendo insuper annuatim dictus Johannes et heredes sui masculi nobis et successoribus nostris pro predictis terris et baronia sex solidos et octo denarios monete prefate, ad terminos suprascriptos, per equales portiones, in dicti nostri rentalis augmentacionem: Acciam ipse Johannes et heredes sui masculi inuenient et sustentabunt vnam suffultam lanceam, videlicet, tres sufficientes equestres, pro quibuslibet decem libratis terrarum et baronie predictarum, dietis nostris tempore guerre extra regnum nostrum, vnacum omnibus defensalibus personis dictas terras et baroniam inhabitantibus, ad nostri et successorum nostrorum mandatum, tempore conuocacionis ligeorum nostrorum infra prefatum nostrum regnum: Et dictus Johannes ac heredes sui masculi tenentur reparare, construere, siue edificare in dicto capitali messuagio de Vrquhart, turrim cum antemurali siue propugnaculo ex lapidibus et calce, pro custodia et conseruacione dictarum terrarum et inhabitancium earundem ab inuasione furium et malefactorum: Acciam reparabunt et edificabunt in dicto capitali messuagio aulam, cameram, coquinam, cum omnibus aliis domibus necessariis, videlicet, panitria, pistrino, brasina, orio, bostare, vstrino, casa, videlicet, le cott, luco columbari, pomario, cum necessariis arborum cepibus, cum industria seu conquestu agri siluestris, in pratis et pasturis, clausuris le stiling, correctione et reformacione nostre publice vie infra dictas terras et bondas, cum seminacione canabi et lini, proficuorum communium custodia, videlicet, cum pontibus lapideis seu ligneis, le faldzettis et le stilis, et cum communi transitu infra dictas terras et baroniam: Et cum contigerit dictos Johannem et heredes suos masculos conuictos fore, quod absit, de proditoria tradicione, murthuro, seu communi furto, tunc ipsi in hoc casu amittent seu perdent dictam feodifirmam terrarum et baronie predictarum, dato quod ipsi aut eorum aliquis pro eorum vita nobiscum finem et composicionem faciant seu faciat; et postea, heredes sui masculi ad huiusmodi terras et baroniam non intrabunt absque nostri et successorum nostrorum consensu et beneuolencia, et gratanter et obedienter Deo et ecclesie suas decimas et oblationes persoluant: Et non licebit dicto Johanni et heredibus suis masculis dictas terras et baroniam, in toto vel in parte, cuicunque persone aut quibuscunque personis, merito aut fauore, vendere aut alienare sine licentia nostri aut successorum nostrorum desuper obtenta: Et si incontrarium fecerint aut fecerit, dictam feodifirmam terrarum et baronie predictarum amittent et forisfacient. In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus: Testibus, reuerendo in Christo patre, Willelmo episcopo Abirdonensi, nostri secreti sigilli custode, dilectis consanguineis nostris, Archibaldo comite de Ergile domino Campbele et Lorne, magistro hospicii nostri, Matheo comite de Levenax domino Dernlie, Alexandro domino Hume, magno camerario nostro, Andrea domino Gray, iusticiario nostro, venerabili in Christo patre, Georgeo abbate de Abirbrothok, thesaurario nostro, dilecto clerico nostro, magistro Gawino Dunbar, archidiacono Sanctiandree, nostrorum

rotulorum registri et consilii clerico; et dilecto familiari nostro Roberto Coluile de Vchiltre, nostre cancellarie directore; apud Striueling, octauo die mensis Decembris, anno Domini millesimo quingentesimo nono, et regni nostri vicesimo secundo.

60. Charter by King James the Fourth to John Grant, younger son of John Grant of Freuchie, of the lands of Corrymony, etc. 8th December 1509.

Jacobus Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem: Sciatis nos, post dissolucionem per nos cum auisamento et consensu trium regni nostri statuum in plano parliamento nostro factam, de annexacionibus terrarum corone nostre, et assedacione earundem in feodifirma, pro policia et edificacione infra regnum habendis, et in augmentacione nostri rentalis, et proficuo patrimonii corone nostre; ac eciam pro policia et edificacione ac bono regimine in terris subscriptis inter inhabitantes earundem habendis, et ad faciendum ipsos legibus nostris obedientes qui retroactis temporibus indomiti et inobedientes eisdem legibus fuerunt, dedisse, concessisse, et ad feodifirmam dimisisse, et hac presenti carta nostra confirmasse dilecto nostro Johanni Grant, filio iuniori Johannis Grant de Freuchy, et heredibus suis masculis, omnes et singulas terras subscriptas, videlicet, quatuor libratas terrarum de Corrymony, quatuor libratas terrarum de Morull, octo libratas terrarum de quatuor Mikleis, quadraginta solidatas terrarum de Lochletter, quadraginta solidatas terrarum de Auchintamarag, quadraginta solidatas terrarum de Deveauch, et dimedietatem terrarum de Mekle Clune extendentem ad viginti solidatas terrarum, et quadraginta solidatas terrarum de Petcarill Croy; extendentes in integro ad viginti septem libratas terrarum, prout in nostro nouo rentali continetur, iacentes in dominio nostro de Vrquhart, et infra vicecomitatum nostrum de Inuernys: Quasquidem omnes et singulas terras predictas, nos, pro specialibus fauoribus quos dicto Johanni Grant filio dicti Johannis Grant de Freuchy gerimus, easdem fecimus, creauimus, vniuimus, annexuimus, et incorporauimus, et hac presenti carta nostra facimus, creamus, vnimus, annexamus, et incorporamus in vnam liberam baroniam futuris temporibus nuncupandam baroniam et feodifirmam de Corrymony; et capitale messuagium earundem fore super huiusmodi terris de Corrymony pro perpetuo; et quod vnica sasina per dictum Johannem Grant et heredes suos masculos, apud dictum capitale messuagium de Corrymony stabit et sufficiens erit pro omnibus supradictis terris, absque aliqua alia speciali seu particulari sasina desuper capienda: Tenendas et habendas omnes et singulas dictas terras, videlicet, quatuor libratas terrarum de Corrymony, . . . vt premittitur, creatas, vnitas, annexatas et incorporatas in vnam integram et liberam baroniam nuncupandam baroniam de Corrymony, dicto Johanni Grant et heredibus suis masculis, de nobis et successoribus nostris, in feodifirma et hereditate ac libera baronia imperpetuum, per omnes rectas metas suas antiquas et diuisas . . . Reddendo inde annuatim dictus Johannes Grant et heredes sui masculi nobis et successoribus nostris, pro omnibus et singulis supradictis

terris cum pertinenciis, summam viginti septem librarum vsualis monete regni nostri, ad duos anni terminos consuetos, festa, videlicet, Penthecostes et Sancti Martini in hieme, per equales porciones, secundum tenorem dicti nostri noui rentalis: Prouiso tamen quod firma vnius termini non deferatur seu currat in alium terminum; et si sic fieri contigerit, dictus Johannes et heredes sui masculi duplicabunt firmam illius termini sic insolutam remanentem: Ac eciam heredes masculi dicti Johannis soluendo et duplicando nobis et successoribus dictam firmam, siue summam viginti septem librarum, ad eorum primum introitum ad terras et baroniam prescriptas, vt est consuetudo feodifirme, vnacum maritagio heredis siue heredum ad dictas terras et baroniam succedentium, cum contigerit: Reddendo insuper annuatim dictus Johannes et heredes sui masculi nobis et successoribus nostris pro predictis terris et baronia, sex solidos et octo denarios monete predicte, ad terminos supradictos, per equales porciones, in dicti nostri rentalis augmentacionem: Ac eciam ipse Johannes et heredes sui masculi inuenient et sustentabunt vnam munitam lanceam, videlicet, tres sufficientes equestres pro quibuslibet decem libratis terrarum et baronie predictarum, dietis nostris extra regnum nostrum tempore guerre, vnacum omnibus defensalibus personis dictas terras et baroniam inhabitantibus, ad nostri et successorum nostrorum mandatum, tempore conuocacionis legiorum nostrorum infra dictum nostrum regnum: Ac eciam dictus Johannes et heredes sui masculi tenentur edificare siue construere in dicto capitali messuagio de Corrymony, aulam, cameram, coquinam, panitriam, pistrinum, brazinam, orium, bostar, vstrinum, casam le cott, lucum columbare et pomarium, cum necessariis arborum cepibus, cum industria et conquestu agri siluestris, cum pratis et pasturis, clausuris le stiling, et correctione et reformacione nostre publice vie infra dictas terras et bondas, cum seminacione canabi et lini, proficuorum communium custodia, videlicet, cum pontibus lapideis seu ligneis, le faldzettis et stilis, et cum communi transitu infra dictas terras et baroniam: Et cum contigerit dictum Johannem et heredes suos masculos conuictos fore, quod absit, de proditoria tradicione, murthuro seu communi furto, tunc ipsi in hoc casu amittent seu perdent dictam feodifirmam terrarum et baronie predictarum, dato quod ipsi aut eorum aliquis pro eorum vita nobiscum finem et composicionem faciant seu faciat; et postea heredes sui masculi ad huiusmodi terras et baroniam non intrabunt absque nostri et successorum nostrorum consensu et beneuolencia: et gratanter et obedienter suas decimas et oblaciones Deo et ecclesie persoluant: Et non licebit dicto Johanni et heredibus suis masculis dictas terras et baroniam, seu aliquam partem earundem, cuicunque persone siue quibuscunque personis merito aut fauore vendere aut alienare, absque nostri aut successorum nostrorum consensu et licencia desuper obtentis; et si incontrarium fecerint seu fecerit dictam feodifirmam terrarum et baronie predictarum amittent et forisfacient: In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus; testibus, reuerendo in Christo patre, Willelmo episcopo Abirdonensi, nostri secreti sigilli custode, dilectis consanguineis nostris, Alexandro comite de Huntlie domino Baidzenach, Archibaldo comite de Ergile domino Campbell et Lorne,

magistro hospicii nostri, Matheo comite de Levenax domino Dernlie, Alexandro domino Hume, magno camerario nostro, Andrea domino Gray, iusticiario nostro, venerabili in Cristo patre Georgio abbate de Abirbroithok, thesaurario nostro, et dilecto clerico nostro magistro Gavvino Dunbar archidiacono Sancti Andree, nostrorum rotulorum registri ac concilii clerico: Apud Striueling, octauo die mensis Decembris, anno Domini millesimo quingentesimo nono, et regni nostri vicesimo secundo.

61. Precept by James Dunbar of Cunze to infeft Alexander Gaderer, and Issabel Sclater his spouse, in the lands of Auldcash. 4th June 1510.

Jacobus Dunber de Cunze, dilectis meiis, Johanni Roberti, Wilhelmo Douglas, Dauid Thome, Willelmo Thome, et Willelmo Gaderer, conburgensibus burgi de Elgin, balliuis meiis in hac parte coniunctim et diuisim specialiter constitutis, salutem: Quia dedi, concessi, et pure vendicionis titulo hereditarie alienaui prouido viro Alexandro Gaderer, burgensi de Elgin, et Issabelle Sclater sue sponse, et eorum alteri diucius viuenti, heredibus suis et suis assignatis, omnes et singulas terras meas de Auldecaiche cum pertinenciis, iacentes in vicecomitatu de Elgin, ut in carta mea sibi desuper confecta plenius continetur: Vobis, igitur, balliuis meiis predictis precipio et mando, quatenus visis presentibus indilate accedatis ad dictas terras de Auldecaiche cum pertinenciis; et ibidem dictis Alexandro Gaderer et Issabelle Sclater, sue sponse, vel eorum certo actornato, latori presencium, sasinam hereditariam, statum et possessionem dictarum terrarum de Auldcaiche suis cum pertinenciis vniuersis, per terre et lapidis tradicionem, ut moris est, iuxta formam carte quam de me inde habent, tradatis et conferatis, seu alter vestrum tradat et conferat: Et hoc nullomodo omittatis: Ad quod faciendum vobis balliuis meiis predictis coniunctim et diuisim, meam omnimodam et irreuocabilem tenore presencium committo potestatem: In cuius sasine signum sigillum vestrum huiusmodi sasine datoris in secunda cauda post meum penes dictum sasitum perpetuo remansuris presentibus appendatis: In cuius rei testimonium sigillum meum proprium presentibus est appensum, apud burgum de Elgin, quarto die mensis Junii, anno Domini millesimo quingentesimo decimo; coram magistro Thoma Gvthre, dominis Johanne Simson et Willelmo Roberti, notario publico.[1]

62. Componitur with John Grant, natural son of John Grant of Freuchie, for intercommuning with rebels. 1st July 1510.

Componitur cum Johanne Grant, filio naturali Johannis Grant de Freuchy, pro receptacione, communicacione, supplemento et assistencia, per ipsum datis et exhibitis rebellibus Regis ad

[1] On the same day, Alexander Gaderer, and Isobel Sclater his spouse, got a precept of sasine from the said James Dunbar of Cunzie, to infeft them in the lands of Cunze in warrandice.

cornu suum existentibus; et pro omnibus crimine et actione que eidem racione premissa imponi poterit; acceiam pro omnibus aliis actionibus, criminibus et offensis quibuscunque per dictum Johannem aliquibus temporibus elapsis vsque in diem confectionis presencium commissis seu quomodolibet perpetratis; proditoria tradicione, murthuro, incendio, homicidio, raptu mulierum, communi furto et communi rapina exceptis. Subscriptum per thesaurarium et quosdam de compositoribus, apud Inuernys, primo die mensis Julii, anno Domini millesimo quingentesimo decimo.

GEORGIUS The^us.
W. ABERD.
H. LORD SINCLARE.

63. COMPONITUR with GILLECREIST MAKGILLECALLUM and others, for intercommuning with rebels. 10th July 1510.

COMPONITUR cum Gillecreist Makgillecallum, Johanne Makgillecallum, commorantibus . . . Johanne Makgilliecallum in Brodlame in Vrquhard, Johanne Roy Makenis in Vrquhard, Donaldo . . . ibidem, Donaldo Roy Makdonald ibidem, Johanne Patonsone Graunt, Johanne James Grantson . . . Makdonald Makfinlay, Johanne Makconquhy Maksvyn, Donaldo Makgillecreist, Johanne Forbes, . . . Makaneere, Johanne Mvill MakInnes, Nigello Makgillewe, commorantibus in Cromdale; Johanne Carry . . . Gillewe, Johanne Makmurrych, Gillendris Makmurrych, Gillecreist Macmuldonych, Donaldo Gowroy, Wi . . . Alexanderson, in Coremony in Vrquhard, Muldonych Owre et Johanne Makyngown, commorantibus super terris . . . Vrquhard, infra vicecomitatum de Inuernes: Pro receptacione, communicacione, supplemento et assistencia per . . . datis et exhibitis rebellibus Regis ad suum cornu existentibus: Et cum dicto Willelmo Alexanderson pro arte . . . interfectionis quondam Ferchardi Makewin: Et pro omnibus crimine et actione que eis aut eorum . . . premissorum imponi poterint; acceiam pro omnibus aliis actionibus, criminibus, et offensis quibuscunque . . . [perso]nas aut earum aliquam aliquibus temporibus elapsis vsque in diem confectionis presencium commissis seu quomo[dolibet perpe]tratis; proditoria tradicione in personam regiam, murthuro, incendio, raptu mulierum, communi furto . . . post exitum vltimi itineris iusticiarie de Inuernys commisso exceptis. Subscriptum per thesaurarium et co[mpositores,] apud Inuernys, decimo die mensis Julii, anno Domini millesimo quingentesimo decimo.

GEORGIUS The^us.
W. ABERD.
H. LORD SINCLARE.

64. COMPONITUR with JOHN GRANT of Freuchie for intercommuning with rebels. 15th July 1510.

COMPONITUR cum Johanne Grant de Frewchy, infra vicecomitatum de Elgin commorante, pro receptacione, communicacione, supplemento et assistencia per ipsum datis et exhibitis

rebellibus domini Regis, ad suum cornu existentibus; et pro omnibus crimine et actione que eidem racione premissorum imponi poterint; aceciam pro omnibus aliis actionibus, criminibus et offensis quibuscunque per dictum Johannem aliquibus temporibus preteritis vsque in diem confectionis presencium commissis, seu quomodolibet perpetratis; proditoria tradicione, murthuro, communi furto, incendio, raptu mulierum, et homicidio post exitum vltimi itineris iusticiarie de Elgin commisso exceptis. Subscriptum per thesaurarium et compositores, apud Elgin, xv^to^ die mensis Julii, anno Domini millesimo quingentesimo decimo.

GEORGIUS The^us^.
W. ABERD.
H. LORD SINCLARE.[1]

65. ACQUITTANCE by THOMAS LORD FRASER of Lovat to JOHN THE GRANT of Freuchie, for 400 merks. 29th April 1512.

BE it kend to al men be thir present letteris, me, Thomas Lord Freser of Louet, to haue resauit throuch the handis of ane virschipful man, Jhone the Grant of Frouchze, the sovme of four hundreth merkis vsual monze of Scotland, in part of payment aucht to me of ane mair sovme promittit to me be the said Jhone for contract of mareag of my eldest sone and apperand ayer, Hew Freser, lik as is contenit in the indentouris maid betuex vs tharapone; of the quhilk sowme of four hundreth merkis vsual monze of Scotland, I hald me hertly content and payt; and for me, myine ayeris, executouris and assignais, quitclemis and dischargis be this myne acquittans the said Jhone Grant, hime, his ayeris, executouris and assignais, of the forsaid sowme of four hundreth merkis for now and euir. In vitnes of the quhilk, to thir my present letteris, becaus my awine seil ves nocht present, I haue vyth instance procurit the seil of ane virschipful man, Schir Villam Pakksone, persone of Balleskine, and subscriuit the sammyne wyth my hand, at Mulben, the penvlt day of Aprile, the zher of God m. v^c^ and twelf zheris, befor thir vitnes, Alexander Cummyne of Alter, Villam Lauchlanesone of Dunnauchtane, Villam Halyburtone off Gask, Schir Robert Andersone, Schir Nichol Borchan, and Schir Jhone Villamsone, notaris publict, wyth vtheris diuers.

THOMAS LORD FRASER OF LOVET.[2]

[1] In addition to the three foregoing "Compositurs," there are also in the Grant Charter-chest five more, all dated in the month of July 1510, with dwellers in the lands of Urquhart, Moray, Kirklands of Knockando, Inverlochy, and lands in the shire of Banff, all belonging to John Grant of Freuchy, for receipt of the king's rebels, oppression of the lieges, etc. The names in these five Compositurs are obscure.

[2] A second discharge was granted by Thomas Lord Fraser of Lovat for 1000 merks, promised for the marriage of Hew Fraser, his son. Dated at Mulben, 18th May 1514. [Original Discharge at Castle Grant.]

66. Bond of Manrent by James the Grant, son and apparent heir to John the Grant of Freuchie, to Alexander Ogilvy of Deskfurd. 19th April 1514.

Be it kend till all men be this present writ, me, James the Graunt, sone and apperand air to Jhone the Graunt of Fruchquhy, to be bvndin and oblist be the faith of my body, and tenor of this present writ, oblissis me to ane honorabill man, myn eme, Alexander Ogiluy of Deskfurd, that for the special effection, bluid kyndnes I beir to him, and profite I haue nov of him till [quhill] my fader leiffis, that I sall with my hail kyn, freindis, seruandis depending on me, and al vtheris I may purches, avfauldly tak my saidis emis pairt, and his freindis and seruandis depending on him; ryd and gang with him in al his honest and rychtwis caussis, specialie aganis the Clanquhattane, gif thai invayd or puttis at his landis, hous of Dawe, hym self or ony of his seruandis, that I sall at my full powere resist thaim, and defend hym, his landis, plaice, and seruandis, and do for thaim as for myselff and my avne or faderis landis, in the maist hertly wis at my ful powere: Quhilk I oblis me till do be the faith of my body, and till obscrue and keip this my band for all the dais and tym my fader is on lyff; and thairefter to gif and tak equale band of kyndnes to my said eme, efter the forme of band maid betuix his granscher, his freindis, my fader and his freindis: In faith and vitnes herof, I haue subscryuit this writ with my hand, and procurit with instance the seill of my cusing Jhone Ogiluy of Laueroklav at this my writ to be affixit, at Findletter, the xix day of Aprile, in the zere of God ane thousand v^{c} and xiiij zeris; befoir thir vitnes, Jhone Ogiluy of Laueroklav, Master Alexander Ogiluy in Glass, James Ogiluy, and Schir Alexander Farquharson, with vtheris diuers. James Graùnt, with my hand.

67. Contract between Alexander Earl of Huntly and John Grant of Freuchie, relative to the non-entry of the lands of Auchinniss. 6th August 1514.

At Huntle, the sext day of August, the zeire of God j^{m}v^{c} and fourtene zeirs, it is appoyntit and concordit betuix ane nobill and mychti lord, Alexander Erle of Huntlie, one that ane part, and Johne Grant of Frequhy one the tother part, in maner and forme as eftir followis:—That is to say, the said lord hes resauit and borowit fra the said Johne, at the makin of this write, the soume of twa hundreth merkis vsuale money of Scotland: For the quhilk soume the said lord sall gif, or his airis, to the said Johne or his airis, betuix the date of this write and the fest of Sanct Martin next heir efter following, or within tuenty dais thairefter, the nonentres of all and haile the lands of Auchinnisse with thair pertinentis, liand within the schirefdome of Banf, togidder with all rycht and titile of rycht that the said lord or his airis hes or ma haue to the said landis with thair pertinentis: Gif it sall pleis the said Johne to tak the nonentres and richtes of the landis foiresaid, he sall pay to the said lord the soume of ane hundretht merkis to the tua hundreth merkis foiresaid at the term of Martimes befoir

expremit, or within tuenty dais tharefter : And gif the said Johne pleiss nocht to tak the non entrey and rychtis of the landis foirsaid, the said nobill lord sall pay to the said Johne the soume of tua hundreth merkis foirsaid at the said term of Martimes, or tuenty dais thare efter : And failzeing of the pament of the said soume, as said is, the said nobill lord, or his airis, sall infeft the said Johne or his airis in tene merkis worth of his landis of Straithowin, quhare it pleis the said Johne, except his place of Drummyn, to be haldin of the said lord and his airis in blanche ferme for ane penny ; the said Johne or his airis givand to the said lord or his airis ane reuersioun, in dew forme, for the redemptioun of the said tene merkis wortht of landis, contenyng the said soume of tua hundreth merkis : And to the completing and fulfilling of all the poyntis abone writin, the saidis nobill lord and Johne Grant ar oblist and sworn, the halie evangelis tuechit, and hes subscriuit this write with thar handis befoir thir witnes, James Gordon of Cabroich, Maisteris Robert Monnorgund, persone of Esse, Johne Gardin, and Schir Alexander Ferquharson, zheir, day, and place forsaidis.

Alexr. Erle of Huntle.
Johne Grant.

68. Grant by Alexander Earl of Huntly to John the Grant of Freuchie, of the non-entries of the lands of Auchanyse. 16th October 1514.

Be it kend till all men be this present write, vs, Alexander Erle of Huntle, Lord of Boyne and Ainze, and ourlord of the landis of the Auchanyse, to haue giffin and grantit, and be the tenore of this present writ, giffis and grantis to our seruitour, Johne the Graunt of Fruchuy, his airis and assignais, the non-interes of our said landis of Auchanyse, being in our predecessouris handis, with the pertinentis of the same and proffitis thairof, ay and sen the gift and alienacion maid be Lady Jelis to the laird of Petslegach than being for the tyme, of al termes bigain, excep the spaice the saydis landis were in our handis, of quhilkis we resauit the proffite : And als we for vs, ouris airis and assignais, giffis and grantis, be the tenor of this writ, the non-interes of the saidis landis, with tharis pertinentis and proffitis, to the said Jhone, his airis and assignais, of al termes to cum, being in ouris handis and aris, ay and quhill the rychtuys air or airis haue interes thairto ; and thair efter we or our airis, being ourlord for the tyme, sall do our full deligence and power, as we be requirit be the said Jhone, his airis or assignais, to caus him and thaim heritabli brvik the saidis landis be alvay, as we may apon rasone, and sal warrand the non-interes of the saidis landis with tharis pertinentis and proffitis to the said Jhone, his airis and assignais, of al tyme and termes bigain and to cum, ay and quhill possession be the airis be recouerit thairof, and than sal do as is aboue vritin : And becaus we haue resauit ful payment be certane sowme of monye for the said non interes be the said Jhone, we oblissis and byndis vs, our airis and assignais, be the faith and treuth in our bodeis, in the straitest stile and forme of obligacion, to warrand, acquite, and defend the

saidis non interes, as sad is, to the said Jhone, his airis and assignais, with the pertinentis and proffitis thairof; and sall gif the said Jhone or his airis attentik evidentis and docvmentis heirvppon, in the best forme can be devisit, be sycht of men of knavlege and lawe, howsone that euer we or our airis be requirit thairto be the said Jhone, or his airis or assignais: The quhilk faithfully to do we oblissis vs, our airis and assignais, as said is: In faith and witnes heirof, becaus we had na propir seill present, we haue subscriwit this present gift and obligacion with our hand, at Huntle, the xvi day of October, in the zere of God ane thousand fiff hundretht and xiiij zeris; befoir thir witnes, Alexander Ogiluy of Deskfurd, Patrik Barclay of Grantuly, Patrik Gordone off Fuylzemond, James Gordone of the Caberach, Andro Hay in the Brakaw, Neill the Graunt, Schir Nichole Paterson, and Schir Alexander Farquharson, chapelanes, with other diuers; and sal gif to the said Jhone letteris to compris the same for the sovme bepast efter thair interes. ALEX^R ERLE OF HUNTLE.

69. CHARTER by JOHN, son of ANDREW KERANSONE *alias* LAVEBANE, to PATRICK FAID, of a rood of land on the west side of the water of Ness. 26th August 1517.

OMNIBUS hanc cartam visuris vel audituris, Johannes Andree Keransone alias Lauebane, salutem in Domino sempiternam: Noueritis me, non vi aut metu ductum, nec errore lapsum, nec aliqua sinistra machinacione circumuentum, sed mea libera et spontanea voluntate, utilitate mea in hac parte vndique preuisa, pensata, matureque considerata et ad plenum intellecta, vendidisse, ac titulo pure, perfecte, rate, grate et irreuocabilis vendicionis, alienasse et confirmasse, necnon tenore presentis carte mee, a me, heredibus meiis et assignatis, imperpetuum vendere, alienare et confirmare dilecto meo Patricio Faide vnam rodam terre mee hereditariam iacentem ex occidentali parte aque de Nys, inter terram heredum Johannis Turnor ad boream et terram dicti Patricii ad austrum, ex parte altera, cuius frons extendit ad aquam de Nis versus orientem, cauda vero ad communem venalem versus occidentem, pro quadam summa pecunie michi tradita pariter et soluta; de qua summa me contentum teneo et persolutum, de qua summa predictum Patricium, heredes suos et assignatos, a me, heredibus meiis et assignatis, quitumclamo et exonero imperpetuum per presentes: Tenendam et habendam dictam rodam terre dicto Patricio Faid, heredibus suis et assignatis, a me, heredibus meiis et assignatis, cum omnibus et singulis commoditatibus, libertatibus, et asyamentis ac iustis pertinenciis quibuscunque, tam non nominatis quam nominatis, ad dictam rodam terre spectantibus, seu iuste spectare valentibus quomodolibet in futurum, adeo libere, quiete, integre, honorifice, bene et in pace, sicut aliqua terra burgia seu extra burgum liberius venditur, datur, alienatur seu possidetur, sine quacunque revocacione, reclamacione seu contradictione mei, heredum meorum, assignatorum, aut aliorum quorumcunque nomine nostro vel ex parte nostra, quouismodo futuris temporibus facienda: Reddendo inde annuatim predictus Patricius Faid, heredes sui et assignati, supremo domino nostro Regi

quinque denarios, et Beate Marie Virginis de le Greyne prope Inuernes tres solidos, per equales porciones, ad terminos infra burgum statutos tantum, pro omni alio onere, seruicio seculari, exactione seu demanda, que de dicta roda terre exigi poterit aut requiri: Ego vero predictus Johannes Andree Keransone alias Lauebane, heredes mei et assignati, predictam rodam terre cum vniuersis et singulis pertinenciis, vt predictum est, contra omnes mortales varantizabimus, acquietabimus et in perpetuum defendemus: In cuius rei testimonium sigillum meum proprium huic presenti carte mee alienacionis est appensum: et ad maiorem rei securitatem, sigillum Laurentii Roberti, vnius balliuorum dicti burgi tunc temporis, qui sasinam et hereditariam possessionem dicte rode terre cum vniuersis et singulis pertinenciis, per terre et lapidis tradicionem, post meam resignacionem in manibus ipsius balliui prius factam, dicto Patricio tradidit et deliberauit, in secunda cauda post meum est appensum, vna cum subscriptione Roberti Waus, notarii publici, apud burgum de Inuernes, vicesimo sexto die mensis Augusti, anno Domini millesimo quingentesimo decimo septimo; presentibus ibidem, Johanne Ker, Thoma Patersone, Thoma Donaldi, Thoma Lumisdayll, Johanne Ostelar, Donaldo Duncani, et Alexandro Blak seriando, cum diuersis aliis ad premissa vocatis specialiter et rogatis.

Ita est Robertus Waus, notarius publicus, teste manu propria.

70. Decreet by the Lords of Council, in favour of John Grant of Freuchie, against Donald Ilis of Lochalsh, and others, for taking the fortalice of Urquhart, etc. 26th February 1517.

At Edinburgh, the xxvi day of Februare, the zeir of God j^{m}v^{c}xvii zeris, the lordis of counsale vnder writtin, that is to say, ane maist reuerend and reuerend faderis in God, Andro archibischop of Sanctandrois, legate, James archibischop of Glasgou, cancellar, James bischop of Murray, Dauid bischop of Galloway, noble and mychtie lordis, Alexander erle of Huntlie, James erle of Errane, Hew erle of Eglintoun, Gilbert erle of Cassillis, venerable faderis in God, Robert abbot of Paslay, James abbot of Dundrynane, Robert lord Maxvell, maister Gawin Dumbar, archidene of Sanctandrois, clerk of register, schir Thomas Halkerstoun, prouest of Creichtoun, and maister Adam Otterburne; In the actioun and caus persewit be Johnne Grant of Freuchy aganis Donald Ilis of Lochalsche, knycht, Williame Cheisholme of Comermoir, Donald M'Alister moir, Euoin Ewin in Pontait, Alexander Johnne M'Alistersone in Glengarrie, Donald Anguis Morisoun in Auchindrome, Donald M^{c}Gillespie, Finla moir M^{c}Gillemartine, for the wranguis violent spoliatioun and taking of the place and fortilice of Vrquhard fra the said Johnne the Grant and his seruandis, keparis thairof, pertening to him heretablie in few ferme, be assedatioun and infeftment maid be vmquhile our souerane lord of gude mynd, quhome God assoilze: And for the wranguis spoliatioun and

awaytaking fra him of his vittuellis and houshald guidis be . . . in his said place, sic as pottis, pannis, kettillis, nop, beddis, schetis, blancatis, coueringis, coddis, fische, flesche, breid, aill, cheis, butter, and vyther stuf of houshald, and salt hydis, extending be gude estimatioun to the soume of ane hundreth pund with the mair: And als for the wranguis spoliatioun and away taking fra him, furth of thir places vnder writtin, of thir guidis and victualis following, that is to say, furth of his toun and grange of Kyl Sanct Niniane of thre hundredth bollis of beir, tua hundreth bollis of aittis with the fodder; out of the toun and landis of Cormowne, j^{c} bollis beir, ij^{c} bollis of aittis; out of the landis of Auchmony, thre scoir bollis beir, vi scoir bollis aittis; out of the landis of Petcarilmoir and Dulschanze, j^{c} bollis beir, ij^{c} bollis aittis; out of the toun and landis of Mekely, vj^{xx} bollis of aittis, thre scoir bollis beir; out of the toun and landis of Carrogare, vj^{xx} bollis of aittis, iij^{xx} bollis beir; out of the landis of Tulaichla, vj^{xx} bollis of aittis, threscoir bollis beir, price of the boll of aittis with the fodder iiij ℔., price of the boll of beir with the fodder viii ℔.: And als for the wranguis spoliatioun, awaytaking and withhalding fra him out of the saidis landis of thre hundreth ky, price of the pece xxvj ℔. viij ₰.; j^{m} scheip, zouis, scheip and wedderis, price of the pece ourheid iiij ℔.: Quhilkis gudis, corne and kettell, pertenit to the said Johnne and his seruandis, and wes spulzeit fra him furth of his said hous and landis be the saidis personis and thair complices, at the feist of Alhallowmes or neir thairbie, in the zeir of God j^{m}v^{c}xiij zeris: And for the wranguis occupatioun, intrometting, lauboring and manuring of the saidis landis, and proffettis that he micht haue had of the samin, be the space of thre zeris thairefter following, with thair seruandis and guidis, as they wer occupiit of befoir, extending zeirlie in fre guidis, the expenssis maid vpone the lauboring deducit, to thre hundreth bollis beir, ij^{c} bollis aittis prices foirsaidis, with gres and pasture of vj^{c} ky and oxin, j^{m} scheip and gait, ij^{c} hors and meris, ij^{c} suyne, price of ilk sowmes gers xviij ₰.; and for the maillis, cariage, seruice, proffettis and dewiteis of the remanent of the landis and lordschip of Vrquhard zeirlie, extending in all proffettis be the space of the said thre zeris bigane to vj^{xx} merkis in money, xiiij^{xx} bollis wictuale, beir and meill, price of the boll viij ℔., lyke as at mair lenth is contenit in the summondis thairupoun: The said Johnne the Grant being personale present, and the remanent of the saidis personis lauchfullie summond to this actioun, oftymes callit and nocht comperit;—the lordis of counsale decretis and deliueris that the said Donald Ilis, knycht, Williame Cheisholme, Donald M^{c}Alexandermoir, Euein Ewyne, Alexander Johnne M^{c}Alistersone, Donald Anguis Morissone, Donald M^{c}Gillespie and Findlay moir M^{c}Gillemartyne, hes done wrang in the wranguis and violent spoliatioun, awaytaking and withhalding of the saidis fortilice and place of Vrquhard, and of the guidis foirsaid, and lauboring and manuring of the saidis landis, and takin vp of the proffettis of the samin be the space aboue expremit; and thairfoir sall content and pay to the said Johne Grant of Freuchy the soume of tua thousand pund vsuale money of this realme: Becaus the skayth that he sustenit in the premissis wes referrit to the said Johnnis aith, quhilk maid fayth that

he wes skaythit be the personis foirsaid in the taking of his said placis and guidis being thairin, and the spoliatioun of cornis, kettellis, occupatioun of his landis and proffettis thairof. extending to the said sowme of tua thousand pund with the mair; and thairfoir ordanis letteris to be direct to compell, pound, and distrenze thaime thairfoir, thair landis and guidis, in forme as efferis.

Extractum de Libro Actorum per me magistrum Jacobum M^cGill de Rankelour Nethir, clericum rotulorum, registri ac consilii S. D. N. Regis et Regine, sub meis signo et subscriptione manualibus. JACOBUS MAKGILL.

71. INDENTURE between JOHN THE GRANT of Freuchie and EWIN ALLANSONE, Chief of the Clan Cameron. 22d October 1520.

THIR ENDENTORIS, maid at Vrquhart the tuenti tua day of Octobir, in the zeir of God ane thovsand five hundreth and tuenti zeiris: It is finaly appointit, endit, and concordit betux vyrchyfull men, thir ar to say, Johne the Grant of Fruquhy and James Grant his sone and apperand ayr, one the tay part, and Ewin Allansone, chaptan of Clan Cameron, and Donald his son and apperand ayr, one the tuder part, for thame and thair ayris, perpetuale for euer, to stand till vder in leil, trew, anefald kyndnes manteinans and defendoris of vderis for all the dais of thair lieffis, for thame and thair ayris, and for all tymis to cum, ilkane to defend vderis in thair personis, gudis, landis, possessionis, kin, frendis, party, and auherdans, in all thair rychtus actionis and querelis; and in speciale, to defend vderis lik Johne the Grant in Vrquhart and Glenmorestone and his ayris, and Johne the Grant to defend the said Ewin Allansone and his ayris in Lochabbir, agane all thame at levis or dee ma, thar allegians to our souerane lord the King and the Gouernor at nov is, and to the erlis of Murray and Argyille at now ar, outtayne and exceppit alanerly: And thir indentoris confirmand the fathfull band of kyndnes maid of befoir, betux M^cIntosich at now is and the said Ewin Allansone, to be hail kepit in it self, bot ony dirigacioun nor raprwif to ony of thir saidis parteis, that is to say, Johne the Grant, James his sone, Ewin Allansone and Donald his sone, and this fathfull kyndnes and vay to be had for the mair securitie, God villing, the said Donald Ewin Allansone sone sall haif to spous and . . . band of matrimonie in faice of haly kyrk, Agnes Grant, dochtir to the said Johne the Grant, now incontinent efter . . . cumyng [of the] dispensacioun betux the dait heirof and xv dais eftir Mertimes in vyntir next to cum: And gif it sall happin at the said dispensacione cum nocht hayme within the said tyme of xv dais eftir Mertimes, the said Johne the Grant is bundin and oblist to caus thame be handfast and put togiddir, his said dochtir Agnes Grant and the said Donald, for mariage to be completit, in the defalt of the dispensacion nocht cumyng hame at the said tyme: And thairfoir the said Johne the Grant sall haif ane band of ane nobil and

ane mychti lord, Thomas Lord Freser of the Lovet, Alexander Cumyng, son and apperand air to Alexander Cumyng of Alteir, and of Patrik Grant in Ballindalloch, for the said Ewin Allansone and Donald, at the mariage sal be completit quhat tyme and quhow sone the said dispensacion cumis hame, within ane xv dais thereftir at the said Johne the Grant or James his sone, or ony vdir havand thair poweris, requiris the saidis Ewin and Donald therto, bot fraude or gyille: And gif it sa beis at the said Ewin caus nocht the said Donald to cum to the completing of the said mariage, within the said xv dais, or absentis him fraudfully thairfra, the saidis Thomas Lord Freser, Alexander Cumyng, and Patrik Grant, sal pay to the said Johne the Grant, and to the said Agnes Grant, the sovme of ane thovsand merkis, lik as salbe extendit in thair band maid therapone, the tyme at the said Agnes beis handfast, in hoip of mariage, in falt of the dispensacione nocht cumyng hayme hastely for kyndnes to be kepit becaus of kynreit at thai mai nocht mare, as salbe at mair laynth contenit in the band: And the saidis parteis sal keip till vderis anfald kyndnes lik as thai var vnit in ane kin; and neuir ane of thame sal heir scayth, hurt, or harme to vderis in personis, landis, gudis, possessionis, and specialie in the saidis landis of Vrquhart and Glenmorestone and Lochabbir, bot thai sal raveil to vderis be thair selfis or be vder mediat personis efter thair power, bot fraude or gyille, all friuell exceptionis secludit and outtayne: And for the obseruying and keping of all thir pointis and articalis abovne vrittin, the said Johne the Grant and James Grant, his sone, has gevin thair bodyly athis, and the said Ewin Allansone for himselfe and his sone Donald has gevin his bodyly ayth, the haly ewangelist tuechit, day and place abovne vrittin: And for the mair verificacione, the saidis parteis interchangebly has set to thair proper seilis, togiddir with thair subscriptionis manualis per pennam of the saidis Johne the Grant and Ewin Allansone; befoir thir vitness, ane nobil and ane mychti lord, Thomas Lord Freser of the Lovet, ane venerabil fader in God, Nychol priour of Bevling, Hew Freser, maister of the Lovet, Johne the Grant of Culcabok, and Schir Johne M^cCoule, vicar of Kilmanavok, with vderis diuers.

EWYNE ALLANSONE, captane of Clan-chamrone,
per pennam.

72. PRECEPT OF CLARE CONSTAT by JAMES BISHOP OF MORAY for infefting ALLAN KEIR MAKKINTOSCH in the kirk lands of Rothiemurcus. 14th August 1521.

JACOBUS Dei et apostolice sedis gracia Morauiensis episcopus, dilectis nostris Jacobo Innes, Alexandro Dolas de Cantray, Alexandro Keir, regalitatis nostre de Spyneto nostris balliuis in hac parte specialiter et in solidum constitutis, salutem cum benedictione diuina: Quia cum nobis clare constat quod Johannes Keir Makkyntossche obiit vltimo vestitus et hereditarie sasitus in feodo, ad fidem et pacem, de omnibus et singulis terris nostris ecclesiasticis de Rothemurcus cum pertinenciis, iacentibus infra vicecomitatum de Inuernes; et quod Allanus Keir Makkintosche est propinquior et legitimus heres et filius ipsius quondam Johannis de

dictis terris de Rothymurcus cum pertinenciis: Vobis igitur precipimus et mandamus quatenus, visis presentibus, indilate predicto Allano vel suo certo actornato, latori presentium, sasinam hereditariam, per terre et lapidis traditionem, de dictis terris cum pertinenciis conferatis seu tradatis, vel alter vestrum tradat et conferat, secundum tenorem carte quondam Alexandro Keir Makkyntosche suo auo de et super dictis terris cum pertinenciis per recolende quondam memorie Dauid Morauiensem episcopum predecessorem nostrum desuper confecte; ceteraque omnia et singula facienda, gerenda, et exercenda que in premissis necessaria fuerint seu oportuna, nostram, tenore presencium, vobis coniunctim et diuisim plenariam committimus potestatem et facultatem impertimur: Et in signum vestre executionis et sasine exhibite sigillum vestrum in secunda cauda post nostrum presentibus appendatis. Datum sub sigillo nostro rotundo, apud Sanctumandream, die decimo quarto mensis Augusti, anno Domini millesimo quingentesimo vigesimo primo et nostre consecrationis anno quinto, etc. JA. MORAUIEN.

73. CONTRACT between DONALD EWIN ALLANSONE and ALEXANDER JOHN ALEXANDERSON. 21st March 1521.

THIS ENDENTUR maid at Banwe, the xxj[ti] day of March, the zeir of Gode ane thussand fyfe hunderit xxj[ti] zeiris. It is appointit and accordit betuix ij honorable men, that is to say, Donald Ewine Allansone, sone and apperand air, on the tai part, and Alexander Johne Alexandersone, on the tothir part, in manner, forme and effecthe as efter falows: The said Donald and Alexander ar swarne, athir of tham to othir, in affald kyndnes and frendschip in wnite, pache and concord, athir othir to defend in word, consale, and deid, and in al gudly accionis, etc. And gyfe Gode preuidis at the said Donald findis or mai cum to ony wai, be his awine industri, helpe, or consal of frendis, that he mai get the xiij merk landis of Inuergarre in tak, few or heretage, the said Donald giffand and lattand to the said Alexander in parciale parthe of the said landis, as the said Donald gettis it; that is to sai, the Lagane, ane quartar land extending zeirlye to iij mark of penne male, Maldelle j merk land, Dellecharne and Badintawag 1 merk land; the said Alexander brukand and wssand the said land fra me the said Donald, with al profeitis and deuitis quhatsumeuer, efter the tenor of my tak, the said Alexander paiand to me the said Donald as his partht of land cumis: And gife it hapinis at the said Alexander may gudlyest cum to the said land, he dissirand and gettand the said Donaldis leife to blok with the semyn, and wynand it, the said Alexander haldand his part abufe writtin and giffand to the said Donald the laife efter the tenor of the said Alexanderis tak, that is, Inuergarre iij merk land of penne male zeirlye, Kylleane, extending to v merk land zeirly, with thair ald merchis, profetis, dewitis quhatsumeuer, fraud, gylle, cauelacione by put and secludit: And [for] the mair securite, Alexander has affixit my proper seile to this present part endentur remaning with the said

Donald, befor thir witnes, Johne Allansone, Allane his sone, Gyllepatrik mediciner, Alester M^cAne M^cNesbe, with othir diuerssis and moni, zeir, day, and place abufe writtin. Johanes MakColreg. ALEXANDER JOHNE ALEXANDERSONE, his hand tuichand the pen.

74. DISCHARGE by JAMES EARL OF MURRAY to JOHN GRANT of Freuchie, for the mails of Glencarny. 26th July 1522.

WE, JAMES Erle of Murray, grantis vs weill content and payit of all malis of Glencarny, fra the Martimes terme in the zere of God ane thousand fif hundreth and xvj zeris to the Witsonday terme in the zere of God, etc., v^c and twenti twa zeris, except fiftene pundis x s. and sax, the said Jhone restis awand of Abirnethy ane hundreth fowre score of pundis, and of Glencarny xv li. x s. : And this acquittans is fra the said Martimes anno, etc., v^cxvj^to to Witsonday anno, etc., v^cxxij^o, baith inclusive ; and quitclamis and dischargis the said Jhonne, his aris, executouris, and assignais, for now and euer. In witnes of the quhilk we haf subscriuit this acquittans with our hand, at Elgin, the xxvj day of Julij, the zere of God j^m fif hundreth and twenty-twa zeris. JAMES ERLE OF MURRAY.[1]

75. RETOUR of WILLIAM HAY of Mayn, as heir of ALEXANDER HAY of Mayn, in the lands of Innerellan, etc. 26th March [1530].

HEC INQUISICIO facta fuit in pretorio burgi de Edinburgh, coram honorabili viro Patricio Baroun de Spittalfeld, vicecomite de Inuernes in hac parte, per commissionem supremi domini nostri Regis specialiter constituto, xxvj die mensis Marcii, anno Domini millesimo quingentesimo vicesimo tricesimo [*sic*];[2] per istos honorabiles viros subscriptos, videlicet, Johannem Crechtoun de Strathurd, militem, Alexandrum Innes de eodem, Gilbertum Wauchop de Nudry Marschell, Willelmum Suthirland de Duffos, magistrum Georgeum Hay de Mynzeane, Jacobum Dunbar de Cunze, Georgeum Abircrummy de Leis, Patricium Grant in Ballindalloch, Willelmum Cvmyng, Thomam Cvmyng, Patricium Cvmyng, Johannem Robertson, Dauid Thomsoun, Alexandrum Fressell et Patricium Duncane : Qui iurati dicunt quod quondam Alexander Hay de Mayn, consanguineus Willelmi Hay de Mayn, latoris presencium, obiit vltimo vestitus et sasitus vt de feodo, ad pacem et fidem supremi domini nostri Regis, de omnibus et singulis terris de Inuerellene, Gaich, Glenbeg, Cragin et Dregy, cum suis pertinenciis, iacentibus infra vicecomitatum de Inuernes : Et quod dictus Willelmus Hay est legitimus et propinquior heres eiusdem quondam Alexandri Hay, consanguinei sui, de omnibus et singulis predictis terris cum pertinenciis : Et quod est legitime etatis : Et quod

[1] The same Earl of Murray granted to John Grant of Freuchie a discharge for £91, as the mail of the lands of Glencarny and Abernethy, preceding the date of the discharge, 13th March 1523.

[2] The year should be 1530.

dicte terre cum suis pertinenciis valent nunc per annum xl^ta^ marcas vsualis monete Scocie, et tempore pacis valuerunt x marcis eiusdem monete: Et quod tenentur in capite de supremo domino nostro Rege per seruitia debita et consueta; reddendo sibi et suis successoribus seruitium debitum et consuetum, prout in carta regia sub magno suo sigillo dicte inquisitioni ostensa plenius continetur: Et quod nunc existunt in manibus prefati supremi domini nostri Regis legittime per se ipsum, ob causam mortis dicti quondam Alexandri Hay, qui obiit per spatium xviij annorum aut eocirca ante confectionem presentis inquisitionis, videlicet, ratione warde per spatium decem annorum ob non etatem veri heredis, et per spatium octo annorum in defectu veri heredis ius suum hucusque minime prosequentis. In cuius rei testimonium sigilla quorundam eorum qui dicti inquisitioni intererant, sub inclusione sigilli dicti vicecomitis in hac parte, vnacum breui regio intus clauso, presentibus sunt appensa, anno, mense, die et loco supradictis.

76. INSTRUMENT, in lieu of Letter of Slains, between the CLAN GRANT and Tenants of Strathdee. 8th October 1527.

IN Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno incarnacionis dominice millesimo quingentesimo vicesimo septimo, mensis vero Octobris die octaua, indictione decima quinta, pontificatus sanctissimi in Cristo patris ac domini nostri, domini Clementis diuina prouidencia Pape septimi anno quarto: In mei notarii publici et testium subscriptorum presencia personaliter constituti honorabiles honestique viri et probe mulieres, Johannes Grant de Frwichquhye, Jacobus Grant eius filius et apparens heres, Robertus Grant, Johannes Grant more, ac Patricius Grant in Balnadallocht, ipsorum proprio et tocius communitatis et lye Clan de Grantis, suorum consanguineorum, amicorum et adherencium nomine, ex vna, et Fyndlayus Farquharesone, Thomas Kay, dominus Richardus Thome M^c^Willzeme, Johannes M^c^Connaldmore, Johannes Deray, Johannes Clerk, Johannes Clerk eius filius, Dauid M^c^Awuthone, Willelmus Tailzour, Duncanus M^c^Kinriche, Euuyn Dondoch, Alexander More, Patricius Makfettis, Thomas M^c^Gilliglas, Matheus Doue, Eduardus Done, Gawmak Molenys wif, Andreas M^c^Feris, Andreas M^c^Morthy, Johannes M^c^Morgon, Ferquhardus M^c^Gillikeir, relicta Duncani M^c^Tailzour, Thomas M^c^Kyntaggart, Tailzour Roy, Willelmus Roy, Johannes Fercher, relicta quondam Alexandri Roy, vxor quondam Dauid M^c^Ablu, relicta Futtur, Tailzour Crowbo, Wilzeme Dow, relicta M^c^Ralte, relicta Donaldi Ficher, Johannes Done, Thomas Roy, Alexander M^c^Allaster, Donaldus M^c^Thome, Johannes Garrow, et vidua in Wester Metray, tenentes terrarum supremi domini nostri Regis de Stradee, infra dyocesim Abirdonensem, pro se, suis prolibus, orphanis, consanguineis, amicis et adherentibus, ac aliis quorum interest seu interesse poterit in futurum, ex altera partibus: Truncacionem et depopulacionem hominum de Stradee, ac asportacionem animalium, granorum, rerumque aliarum eorundem, per dictos ly Grantis, suos consanguineos, amicos et adherentes,

et econtra truncacionem et depopulacionem hominum de Straspey et Stradone, animaliumque, granorum rerumque aliarum eorundem, per dictos Fynlaium Farquharsone, collegas et complices, suosque consanguineos, amicos et adherentes, hincinde deplorantes, egreque ferentes, cupientesque huiusmodi scelera nephandissima, summo Deo trino et vni, supremo domino nostro Regi et parti lese hincinde, quantum humana valet imbecillitas, redimere, satisfacere et emendare, ac de cetero concorditer, amicabiliter, quiete et pacifice inter sese viuere, diesque finire: Quapropter dicte partes, suorum et nomine quo supra, non vi aut metu ducti, non compulsi nec coacti, set suis meris et spontaneis voluntatibus, vtilitateque ac quiete longa maturitate diuersis tract[at]ibus prehabitis, prout suo magno sacramento singillatim michi notario publico subscripto sacris Dei ewangeliis tactis prestito asseruerunt affirmaruntque omnem animi rancorem et displicenciam dictorum hominum occisorum, interfectorum, truncatorum et mutilatorum, equissimis cordialibusque animis sibi inuicem remiserunt, pacificos et quietos in iudicio et extra perpetuis duraturis temporibus, pro se et aliis quibuscunque suo nomine (satisfactione condigna primitus considerata et hincinde realiter perimpleta) acclamarunt et acquietarunt: Necnon realem et actualem ac integram satisfactionem, resarcionem et compensacionem animalium, granorum rerumque aliarum quarumcunque, dampnorum, expensarum et iniuriarum ac interesse ablatarum hincinde asportatarum et dampnificatarum (premissa diligenti inquisicione super numero et valore earundem) sibi inuicem fecerunt: De quibus eciam omnibus et singulis hincinde sese in vberiori forma exonerauerunt et acquittumclamarunt imperpetuum: Promittendo pactum de vlterius non petendo per se uel alios suo nomine: Volentes eciam huiusmodi partes premissa in omnibus suis clausulis extendi in vberiori forma, ac quod huiusmodi presens instrumentum absencia suorum sigillorum loco finalis exoneracionis et remissionis siue littere lye slaynys vxorum, prolium, consanguineorum ac adherencium interfectorum, ut moris est patrie, habeatur, sicuti sigillis partium seu aliter quocunque munimine roboretur: Premissaque inviolabiliter obseruare, dicte partes, suo magno iuramento interueniente ac sub pena periurii, inhabilitatis et infamie, sese michi notario publico subscripto, vice et nomine omnium et singulorum quorum interest, intererit aut interesse poterit quomodolibet in futurum, hincinde obligarunt et stipularunt: De et super quibus omnibus et singulis dicte partes hincinde a me notario publico subscripto sibi fieri pecierunt vnum seu plura, publicum seu publica, instrumentum seu instrumenta: Acta erant hec in Dilmorar infra parrochiam de Straithawin, hora secunda post meridiem aut eocirca, sub anno, die, mense, indictione et pontificatu quibus supra; presentibus ibidem discretis et honestis viris, Patricio Makkendlay, Donaldo McKendlay, Johanne McFaill, Alexandro Gordoun, Johanne Gordoun, Johanne Roy Gordoun et Johanne Clerk, testibus ad premissa vocatis ac requisitis.

Et ego Johannes Dauesone, magister artium, presbyter Morauiensis diocesis, sacra apostolica autoritate notarius publicus [*etc.*].

77. Notarial Instrument, made on 9th January 1528, on Agreement between the Clan Grant and Tenants of Strathdee on 4th January 1527.

In Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum, quod anno incarnacionis dominice millesimo quingentesimo vicesimo octauo, mensis vero Januarii die nona, indiccione decima quinta, pontificatus sanctissimi in Christo patris ac domini nostri, domini Clementis diuina prouidencia Pape septimi anno quinto: In mei notarii publici et testium presencia personaliter constituti honorabiles honestique viri et probe mulieres, Jacobus Grant, Robertus Grant, Johannes Grant moir, et Patricius Graunt in Balnadalach, ipsorum proprio et tocius communitatis et lye Clan de Grauntis, suorum consanguineorum, amicorum et adherencium nomine, ex vna; et Johannes M°Fuktur, Johannes M°Michell, Agnes Mores, Matheus M°Gillereache wif, Morgund Mathowson, Alexander Maitland, Johannes Lammeson, Marioria Lammeis dothyr, Alexander Thomeson, Donald Pethanoch, Merzone Ago M°yfouctouris wif, Katheryne Fuktour, Donald hyr sone, and Alexander hyr sone, Marsle hyr doythyr, Donald Gerrow, Wille Dag, Patrik Brebner, John Red M°Edwart, Elspet Donald M°Hardeis doythyr, Donald hyr son, Fynlaye hyr son, Anne hyr dothyr, Elizebeth hyr dothyr, Robert Stewart, Androu Stewartson, Johne Stewart his son, Elspet Stewart his sister, Anne James dothyr, Thome Lammeis wif, Donald Lammeson hyr sone, Anne hyr doythyr, Johne Lammesone hyr sone, Ago Lammesone hyr sone, Nicoll Dauidson, Elspet Innyfuktour, Alexander Lammeson, Ago M°Gillequhome, Merzeone Donald Reache doythyr, M°Alister M°Lamme, Fergus in the Cottone of Aberzelde, Elspet Symone, Donald hyr sone, Johne hyr sone, Anne hyr dothyr, Marsle hyr dothyr, Donald Egosone, Johne Males, Rore Thomson, Janat Enytiyr, Janat Quhyt, Hanre Moris wif, Gresal Lyndsaye, Patrik Southar, Paull Brebner, Johne Corbet, Johne Morgin, tenentes supremi domini nostri Regis, et nobilis et potentis domini Georgii comitis de Huntle, ac eciam honorabilis viri Jacobi Gordone de Aberzelde, in Strathde infra diocesim Aberdonensem, pro se, suis prolibus, orphanis, consanguineis, amicis ac adherentibus, ac aliis quorum interest seu interesse poterit in futurum, ex altera partibus: Truncacionem et depopulacionem hominum de Strathdee, et asportacionem animalium, granorum, rerumque aliarum eorundem, per dictos ly Grantis, suos consanguineos, amicos et adherentes; et econtra, truncacionem et depopulacionem hominum de Straspey et Straththowne, animaliumque, granorum, rerumque aliarum eorundem, per dictos Johannem M°Fuktour, Johannem M°Michell, ceterasque infrascriptas personas, collegas et complices, suosque consanguineos et adherentes, hincinde deplorantes, egreque ferentes, cupientesque huiusmodi scelera nephandissima, summo Deo trino et vni, supremo domino nostro Regi, et parti lese hincinde, quantum humana valet imbecillitas, redimere, satisfacere et emendare; ac de cetero concorditer amicabiliter, quiete et pacifice, inter sese viuere, diesque finire: Quapropter dicte partes, suorum et nomine quo supra, non vi aut metu ducti, non compulsi nec coacti, sed suis meris

et spontaneis voluntatibus, vtilitateque ac quiete, longa maturitate diuersis tract[at]ibus prehabitis, prout suo magno sacramento singillatim michi notario publico subscripto, sacris Dei ewangeliis tactis, prestito, asseruerunt, affirmaruntque omnem animi rancorem et displicenciam dictorum hominum occisorum, interfectorum, truncatorum et mutilatorum, equissimis cordialibusque animis, sibi inuicem remiserunt; pacificos et quietos, in iudicio et extra, perpetuis duraturis temporibus, pro se et aliis quibuscunque suo nomine, satisfactione condingna primitus considerata et hincinde realiter perimpleta, acclamarunt et acquietarunt: Necnon realem et actualem ac integram satisfactionem, resarcionem et compensacionem animalium, granorum, rerumque aliarum quarumcunque, dampnorum, expensarum et iniuriarum, ac interesse, ablatarum hincinde asportarum et dampnificatarum, premissa diligenti inquisicione, super numero et valore earundem, sibi inuicem fecerunt: De quibus eciam omnibus et singulis hincinde sese in vberiore forma exoneraeuerunt et acquitumclamarunt in perpetuum; promittendo pactum de vlterius non petendo pro se uel aliis suo nomine: Volentes eciam huiusmodi partes premisse in omnibus suis clausulis extendi in vberiore forma; ac quod huiusmodi presens instrumentum, absencia suorum sigillorum, loco finalis exoneracionis et remissionis siue litere lye slanis, vxorum, prolium, consanguineorum, ac adherencium interfectorum, vt moris est patrie, habeatur, sicuti sigillis parcium, seu aliter quocunque munimine roboretur: Premissaque inuio[la]biliter obseruare dicte partes, suo magno iuramento interueniente, ac sub pena periurii, inhabilitatis et infamie, sese michi notario publico subscripto, vice et nomine omnium et singulorum quorum interest, intererit, ac interesse poterit quomodolibet in futurum, hincinde obligarunt et stipularunt: De et super quibus omnibus et singulis, dicte partes hincinde a me notario publico subscripto sibi fieri pecierunt, vnum seu plura, publicum uel publica, instrumentum aut instrumenta: Acta erant hec, apud Aberzelde, quarto die mensis Januarii, anno Domini millesimo quingentesimo vicesimo septimo, hora decima ante meridiem, coram his testibus, Dauid Bowman filio Johannis Bowman in Auchquhile, Johanne Reid Gordone, Donaldo Anderson, Johanne Jameson, Duncano Jameson, Nicolaio Daueson, cum diuersis aliis.[1]

Et ego vero Johannes Dauesone, magister arcium, presbyter Morauiensis diocesis, sacra apostolica auctoritate notarius publicus [*etc.*].

[1] On the 19th of January 1538, a third Notarial Instrument was drawn up, by which Findelay Farcharsone, James Steuart, James M^cKinlackour, Gradach Ynnythome, and many others, for themselves, and in name of all the other inhabitants of the lands of Strathdee and Braemar, after delivery to them by James Grant of Freuchie, John Grant of Ballindallach, and William Leslie of Balquhane, of 400 merks, in part payment of 800 merks, in terms of contract made between the said parties in 1538, by which the said first parties, for the inhabitants and tenants of Strathdee and Braemar, consented that the said 400 merks should be divided among the tenants by George Earl of Huntly, and agreed to discharge all rancour and ill will for the spoliation of their lands: reserving the payment of the other 400 merks at Martinmas 1539. Done in Bomora, in the parish of Crathie. [Original Instrument at Castle-Grant.]

78. Remission by King James the Fifth to John Grant of Freuchie and others, for absenting themselves from the army at Solway and Wark. 13th February 1527.

Jacobus Dei gracia Rex Scotorum, omnibus probis hominibus suis ad quos presentes littere peruenerint, salutem: Sciatis quia ex gracia nostra speciali remisimus Johanni Grant de Fruchy, Jacobo Grant eius filio et apparenti heredi, Willelmo Grant fratri eiusdem Johannis, Johanni Grant filio naturali dicti Johannis, Malcolmo Grant, Lauchlano Makra, Johanni Patersoun, Willelmo Makgillemichell, Johanni Robert Patriksoun, Alexandro Makkaye, Patricio Symsoun, Willelmo Makconnoquhy, Johanni Dauidsoun, Johanni Grant Jamessone, Fynlaio Makconneill, Patricio Johanni Patriksoun, Patricio Ferquharsoun, Duncano Williamsoun, Johanni Keir Michelsoun, Angusio Johanni Crommyssone, Johanni Patrik Makalestersoun, Thome Thomas Boysson, Paulo Duncansoun, Alexandro Makblaky, Patricio Grant in Balnadallauch, Johanni Moill Makgillespik, et Johanni Grant filio dicti Johannis Grant de Fruchy, et eorundem alteri, latoribus seu latori presentium, rancorem animi nostri, sectam regiam et omnem actionem, quem et quas erga ipsos seu ipsorum quemlibet concepimus, habemus, seu quouismodo habere poterimus, pro eorum proditoriis remanentia et mora ab exercitibus nostris, apud Soulway et Werk, pro obsidione castri eiusdem, defensione regni nostri et ligeorum, et resistencia nostrorum antiquorum Anglie inimicorum, nostras contra proclamationes et mandata desuper directa, penas amissionis vite, terrarum et bonorum incurrendo; et pro omnibus alijs proditorie crimininbus, actionibus, transgressionibus, et offensis quibuscunque, per dictas personas aut earum aliquam aliquibus temporibus retroactis vsque in diem date presencium commissis seu quomodolibet perpetratis, proditoria tradicione in personam nostram regiam solummodo excepta; dummodo partibus conquerentibus et dampna passis tales emendam et satisfactionem prefate persone faciant quod nullam super hoc de cetero iustam querimoniam audiamus: Et supradictas personas et ipsarum quamlibet sub firma pace et protectione nostra iuste suscipientes, firmiter inhibemus ne quis eiis aut earum alicui occasione dictarum proditoriarum remanencie et more a nostris exercitibus, ut premittitur, aut aliorum proditorie criminum, actionum, transgressionum, et offensarum predictarum, malum, molestiam, iniuriam seu grauamen aliquod inferre presumat iniuste, super nostram plenariam forisfacturam; aut mortem eiis seu earum alicui inferat, sub pena amissionis vite et membrorum: In cuius rei testimonium has literas nostras remissionis, pro toto tempore vite predictarum personarum et cuiuslibet ipsarum duraturas, sub nostro magno sigillo sibi fieri fecimus patentes; apud Abirdene, decimo tercio die mensis Februarii, anno Domini millesimo quingentesimo vicesimo septimo, et regni nostri decimo quinto.

Dorso: Apud Banff xviij° die mensis Decembris anno Domini, etc., xxxiiij°, visa et admissa pro Malcomo Grant, Johanne Moyll et Johanne Makmuldonych contentis in eadem. J. Bannatyne, scriba curie.

79. Gift by King James the Fifth to James Grant, son of John Grant of Freuchie, of the non-entry of the lands of Glencarny, Balnadalloch, and Urquhart. 24th December 1529.

James, be the grace of God, King of Scottis, to all and sindry our liegis and subditis quham it efferis, quhais knaulege thir our letteris sall cum, greting: Wit ze ws, with auis and consent of oure thesaurar, to haue gevin and grantit, and be thir our letteris gevis and grantis to oure louit James Grant, sone and are of vmquhile Johnne Grant of Freuchy, his airis and assignais, ane or ma, the nonentres, malis, fermis, profittis, and dewiteis of the landis of Glencharny, Balmadallach, and Vrquhard, with thare pertinentis, liand within our schirefdome of Inuernys, quhilkis pertenit to the said vmquhile Johnne Grant, and, throw his deces, being in our handis be resoun of nonentre, of the termes of Witsonday and Mertymes last bipast, and siclik of all zeris and termes to cum, ay and quhill the lauchfull entre of the richtuis are or airis tharto, being of lauchfull age: To be haldin and to be had the nonentres, malis, fermis, proffittis, and dewiteis of the saidis landis with thare pertinentis, during the said space, to the said James, his airis and assignais, with all and sindry commodities, fredomes, proffittis, asiamentis, and richtuis pertinentis quhatsumeuir, pertenyng or richtuisly may pertene tharto: With power to the said James, his airis and assignais, to intromett and tak vp the malis, fermis, profittis, and dewiteis of the saidis landis at thare avne hand, baith of termes bigane and to cum, during the said space, and to dispone tharone at thare avne plesour, and to occupy the saidis landis with thare avne gudis, or to sett thame to tennentis, as thai sall think maist expedient, during the said space; with court, plaint, herezeld and merchete, vnlawis, amerciamentis and eschetis of the saidis courtis; with all and sindry vthiris commoditeis and fredomes, frelie, quietlie, weile and in peax, but ony reuocatioun, impediment or agane calling quhatsumeuir: The said James, his airis and assignais and thare factouris, payand zeirlie to ws and our successouris for the saidis landis, during the tyme of the nonentres tharof, the few male and dewiteis aucht and wont to ws of the sammyne, efter the tennour of the said vmquhile Johnnis infeftment maid to him tharupoun: Attour, we with auis and consent of Robert Bertoun of Vuir Berntoun, our comptrollar, grantis ws to haue ressauit fra the said James complete payment of the doubling of the few aucht be him, as are to his said fader, for his entre to the saidis landis, efter the tennour of the said infeftment, and quieteclamis and dischargis the said James, his airis, executouris, and assignais tharof foreuir, be thir presentis: And als we command and charge [zow] our schireffis of Inuernys and Elgin and Fores, and zour deputis, and all vtheris our officiaris present and to cum, to desist and ces fra all poynding and distrenzeing of the said James, his landis or gudis, for the doubling of the few of the saidis landis, pait ellis be him, as said is; dischargeing zow tharof and of zour officis in that part, and the sammyne sal be thankfully allowit to zou in zour comptis in our chekker be the auditouris tharof, quhilkis we charge to defeis zou and

the said James tharof in zour comptis, thir our letteris being schewin befor the saidis auditouris vpoun compt in our chekker, and registrate in the rollis tharof, as efferis, for thare warrant. Gevin vnder oure priue sele, at Edinburgh, the xxiiij day of December, the zeir of God j^{m}v^{c} tuenty nyne zeris, and of our regne the xvij zeire.

Per signaturam manibus S. D. N.
Regis et sui thesaurarii subscriptam.

Apud Edinburgh, xxj Augusti, anno, etc., xxxviij°.
Per hanc litteram allocantur in compoto vicecomitis de Inuernes iiij^{c}xl ℔. iii ʃ. iiij ₫.
J. Mowbray.

Apud Edinburgh, xxj Augusti, anno, etc., xxxviij.
Per hanc litteram allocantur in compoto dicti vicecomitis de Inuernes lxxxxij ℔. xiij ʃ. iiij ₫.
J. Mowbray.

80. Letters by King James the Fifth, respecting the feu-fermes of Glencarny and Balnadalloch. 19th March 1529.

Jacobus Dei gracia Rex Scotorum, omnibus probis hominibus suis ad quos presentes litere peruenerint, salutem: Sciatis quia approbauimus, ratificauimus, ac pro nobis et successoribus nostris pro perpetuo confirmauimus cartam feodifirme per quondam carissimum patrem nostrum vltimo defunctum, cuius anime propitietur Deus, factam quondam Johanni Grant de Freuchy et heredibus suis, de terris de Glencarny et Balnadallach, cum molendino earundem et suis pertinenciis, iacentibus infra vicecomitatum nostrum de Elgin et Fores, quamuis dictus quondam Johannes et Jacobus Grant nunc de Freuchy, eius filius et heres, in solutione firmarum feodifirme dictarum terrarum nobis per spacium septemdecim annorum aut eocirca vltimo elapsorum defecerunt, sed huiusmodi firmas carissimo fratri nostro Jacobo Morauie comiti persoluerunt: Nos nichilominus ex auctoritate nostra regali volumus et concedimus, ac pro nobis et successoribus nostris decernimus et ordinãmus quod non erit aliqua lesio, dampnum aut preiudicium, dicto Jacobo Grant, heredibus suis aut assignatis, nec quod ipsi nullum dampnum aut periculum inde incurrent penes perditionem eorum feodifirme et hereditatis dictarum terrarum, aliquibus nostris legibus, parliamentorum actis, statutis, restrictionibus, aut aliis quibuscunque, in contrarium factis et faciendis non obstantibus; super quibus nos, cum consensu et auisamento nostri thesaurarii, cum dictis quondam Johanne et Jacobo pro certa compositione desuper cum dicto nostro thesaurario facta dispensamus: Insuper nos pro nobis et successoribus nostris renunciamus et exoneramus dicto Jacobo et heredibus suis omni iuri, clameo et titulo, que et quem nos habuimus, habemus, aut habere poterimus in et ad dictas terras pro non solutione firmarum earundem,

ut predicitur, per presentes. Datum sub nostro secreto sigillo, apud Edinburgh, decimo nono die mensis Marcii, anno Domini millesimo quingentesimo vicesimo nono, et regni nostri decimo septimo.

Per signaturam manibus supremi domini nostri Regis et sui thesaurarii subscriptam.

81. CONFIRMATION by KING JAMES THE FIFTH of a Decreet of the Lords of Council concerning the feu-maills of Glencharny, etc. 2d April [1532].

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus suis ad quos presentes litere peruenerint, salutem: Sciatis nos quoddam actum siue decretum per dominos consilii nostri inferius descriptos datum et promulgatum vtique intellexisse, sub hac forma:—AT EDINBURGH, the penult day of Marche, the zeir of God j^{m}v^{c} and xxx zeris, the lordis of counsale vnderwrittin, that is to say, ane maist reuerend and reuerend faderis in God, Gawine archibishop of Glasgow, chancellar, Gawine bishop of Abirdene, James bischop of Ros, Robert bishop of Orknay, noble and mychty lordis, James erle of Murray, George erle of Rothes, ane venerabill fader in God, Patrik prior of Sanct Androis, Malcome lord Fleming, William lord Saltoun, John lord Hay of Zestir, Henry lord Methven, George lord of Sanct Johnnis, Nicholl Crawfurd of Oxingangis, iustice clerk, Maister James Lawson and Maister Francis Bothuill, burgessis of Edinburgh: Anent the summondis raisit at the instance of our souerane lord aganis James Graunt, for himself and as aire of vmquhile Johne Graunt of Freuchy: That is to say, the said James aire forsaid to heir him be decernit be decrete of the lordis of counsale, to content and pay to our said souerane lord the sovme of thre scoir allevin pundis vsuale money zeirlie, be the space of xvi zeiris immediatlie precedand the zeir of God j^{m}v^{c} and tuenty nine zeris, for the few malis of the landis of Glencharne and Balnadallach, with the mylnis thairof, and thair pertinence, liand within the schirefdome of Elgin and Fores, aucht be the said vmquhile Johne for the saidis landis, set be vmquhile our souerane lord of gud mynd, quham God assolze, to him for the said few male; and als the said James to heir him be decernit be decrete of the lordis to refound, content, and pay for him self to our said souerane lord, the said sovme of thre scoir ellevin pund for the few male of the saidis landis of this instant zeir of God j^{m}v^{c} and xxix zeris: And als the said James to heir him to haif tynt and forfaltit his heretage of the saidis landis, becaus he and his fader hes failzeit to pay to our souerane lord the said few, be the space of sevintene zeris, as at mair lenth is contenit in the summondis therupone: Oure souerane lord, comperand be Maister Adam Ottirburne, his aduocat, and the said James Graunt being personalie present, thare richtis, ressonis, and allegatiounis hard, sene, and vnderstand, and therewith being riple auisit, the lordis of counsale decretis and deliueris that the said James Graunt, as air to his fader, sall content and pay to our souerane lord the sovme of lxxi li. zeirlie, be the space of sextene zeris

immediatlie precedand the zeir of God j^{m}v^{c} and xxix zeris for the few malis of the saidis landis of Glencharne and Balnadallach, with the mylne therof, restand awand vnpayit; togidder with the sovme of lxxi li. for the malis of the saidis landis of the zeir of God j^{m}v^{c} and xxix zeris, intromettit with be the said James him self, as wes vnderstand to the saidis lordis, and ordanis letteris be direct to poynd and distrenze therfor, as efferis; and assolzeis the said James Graunt fra the petitioun of our souerane lord tuiching the forfalting of the landis abone writtin, and decernis him quyt therfra; becaus the said James Graunt producit ane writting vnder the prive seill, ratifyand and apprevand the chartir of few maid to the said vmquhile Johne Graunt of the saidis landis, and renuncit and dischargeit all actioun and clame that he hes to the forfaltour of the saidis landis be ressone of non-payment of the said few, nochwithstanding the non-payment of the said few male thairof abone writtin, as the said letter vnder the prive seill, of the date at Edinburgh, the xix day of Marche, the zeir of God j^{m}v^{c} and xxix zeris, schawing and producit befor the saidis lordis, proportit and bure: Reseruand to the said James his actioun aganis the Erle of Murray, to quham he allegeis he hes payit the said few malis, to call him or ony vtheris for the samyn as he pleis. Extractum de Libro Actorum per me, Gawinum episcopum Abirdonensem, clericum rotulorum, registri ac consilii supremi domini nostri Regis, sub meis signo et subscriptione manualibus. QUODQUIDEM actum siue decretum, ac omnia et singula in eodem contenta, approbamus, ratificamus, et per presentes vt premissum est, confirmamus. Datum sub testimonio magni sigilli nostri, apud Edinburgh, secundo die mensis Aprilis, anno regni nostri decimo nono.

82. PRECEPT OF CLARE CONSTAT by MARGARET LADY OF GORDON AND BADENOCH to seize JAMES GRANT, as son and heir of JOHN GRANT of Freuchie, in the lands of Tullochgorm, etc. 20th March 1532.

MARGARETA, domina de Gordone et Baudenach, dilectis nostris consanguineis magistro Alexandro Ogilwy in Glassoch, Patricio Grant in Ballindallach, Johanni Graunt in Auchnarow, balliuis nostris in hac parte coniunctim et diuisim specialiter constitutis, salutem: Quia clare constat nobis quod Jacobus Grant, lator presentium, est legitimus et propinquior heres quondam Johannis Grant de Fruchy, patris sui, qui obiit vltimo vestitus et saisitus ut de feodo, ad fidem et pacem supremi domini nostri Regis, de omnibus et singulis terris de Tullochgorme, Cur, Clowry, Tulloch, et de dimedietate de Dalfour, cum earum pertinenciis, iacentibus in dominio nostro de Baudenach, infra vicecomitatum de Inuernes: Et quod dictus Jacobus est legitime etatis; et predicte terre tenentur de nobis in capite, tanquam domina de Baudenach: Vobis igitur et vestrum cuilibet, balliuis nostris, coniunctim et diuisim, precipimus et mandamus, quatenus visis presentibus dicto Jacobo Grant latori presentium, aut suo certo actornato, statum, possessionem et saisinam hereditariam omnium terrarum prescriptarum cum earum pertinenciis, secundum formam cartarum suarum quas inde habet, indilate per

terre et lapidis traditionem tradatis et deliberetis, seu alter vestrum tradat aut deliberet: Ad quod faciendum vobis et vestrum cuilibet, coniunctim et diuisim, nostram plenariam et irreuocabilem tenore presentium committimus potestatem: Datum sub nostris sigillo et subscriptione manuali, apud Bogagyth, vicesimo [die] Marcii, anno Domini millesimo quingentesimo tricesimo secundo, coram his testibus, honorabili viro Alexandro Ogilwy de eodem, Johanne Duf et Johanne Ogilwy, cum diuersis aliis. MARGARET LADY GORDOUNE.

83. COMPONITUR with GILLANDERIS M^{c}GILLEMARTYNE M^{c}KERIN and others for absence from the host at Solway. 26th November 1534.

COMPONITUR pro remissione cum Gillanderis M^{c}Gillemartyne M^{c}Kerin, Kennoch M^{c}Gillepatrik, Johanne Croy M^{c}Patrik M^{c}Gillespik, Donaldo M^{c}Paule Nele, Johanne Dow M^{c}Mulmore, Jacobo M^{c}Kynkeir in Vrquhart, et Willelmo Makane, infra vicecomitatum de Inuernes commorantibus, pro eorum proditoria remanencia ab exercitu supremi domini nostri Regis apud Sulway; et pro omnibus actione et crimine que inde sequi poterint; necnon pro omnibus aliis actionibus, transgressionibus, criminibus et offensis quibuscunque, per dictas personas aut earum aliquam aliquibus temporibus retroactis vsque in diem date presencium commissis, seu quomodolibet perpetratis; proditoria traditione in personam regiam, homicidiis quibuscunque particularibus tam ante confectionem acti quam post, supplemento et assistencia datis et exhibitis Hectori Makintosche et suis complicibus in eorum actis proditoriis dumtaxat exceptis, dummodo prefate persone non sint secte et opinionis dicti Hectoris. Subscriptum per dominos compositores, apud Inuernes, xxvj die mensis Nouembris, anno Domini j^{m}v^{c}xxxiiii^{o}. Compositio xiiij li.

W^{us} the^{rius} W. ERL OF MONTROS.
Ja. Rossen. R. ST^{E} CRUCIS.[1]

84. REMISSION by KING JAMES THE FIFTH in favour of JAMES GRANT of Freuchie. 22d July [1535].

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus suis ad quos presentes litere peruenerint, salutem: Sciatis, quia ex gracia nostra speciali remisimus dilecto nostro Jacobo Grant de Freuchy, latori presentium, rancorem animi nostri, sectam regiam et omnem actionem, quem et quas erga ipsum concepimus, habemus seu quouismodo habere poterimus, pro eius proditoriis remanencia, mora, et absentia ab exercitibus nostris apud Sulway et Werk, nostras

[1] Other two componitors are given the same year to inhabitants of the shires of Elgin and Forres, Banff and Inverness, for intercommuning with rebels, and absence from the host at Solway; in 1552, other two for absence from the queen's host, etc.; in 1556, six for intercommuning with rebels, theft, sorning, destruction of green woods, and burning of moor, etc.

contra generales proclamaciones et mandata desuper directa, penas ob id amissionis vite terrarum et bonorum incurrendo; et pro omnibus aliis proditorie tradicionis criminibus, actionibus, transgressionibus et offensis quibuscunque, per dictum Jacobum aliquibus temporibus retroactis, vsque in diem date presentium commissis, seu quomodolibet perpetratis; proditoria tradicione in nostram personam regiam tantum excepta; dummodo partibus conquerentibus et damna passis dictus Jacobus taliter satisfaciat quod nullam super hoc de cetero iustam querimoniam audiamus: Et supradictum Jacobum sub firma pace et protectione nostra iuste suscipientes, firmiter inhibemus ne quis ei occasione dictarum remanentie, more et absentie, aut aliarum actionum, proditorie tradicionis criminum, transgressionum et offensarum quarumcunque predictarum, malum, molestiam, iniuriam seu grauamen aliquod inferre presumat iniuste, super nostram plenariam forisfacturam, aut mortem ei inferat, sub pena amissionis vite et membrorum: In cuius rei testimonium, has literas nostras remissionis pro toto tempore vite dicti Jacobi duraturas, sub nostro magno sigillo sibi fieri fecimus patentes: Apud Striueling, vicesimo octauo die mensis Julii, anno regni nostri vicesimo secundo.

85. INDENTURE between JAMES GRANT of Freuchie and JOHN GRANT in Balnadalloch, for infefting the latter in Balnadalloch, etc. 1st August 1535

THIR INDENTURIS, maid at Edinburght the first day of August, the zeire of God ane thousand five hundretht thretty five zeris, contenis, proportis, and beris leile and suthfast witnessing, that it is appoynctit, aggreit, and finalie concordit betuix honourabill men, that is to say, James Grant of Fruquhye, on that ane parte, and Johne Grant in Balnadallocht, on that vther parte, in maner, forme, and effect as eftir followis: That is to say, the said James and his aires maile sall, betuix this and the feist of Pasche nixt to cum eftir the day of the daite heireof, mak thame to be infeft heretabillie, be charter and seising in competent and dew forme, in all and haile the landis of Glenchairnycht and Balnadallocht, witht the myll, ailehouse, wode, fischeing, and croft thareof, and thaire pertinentis, liand in the lordschip of Glenchairnycht and scherefdome of Elgin and Forres; and incontinent thareeftir thai sall infeft the said Johne and his airis maile heretabillie, be charter and seising in competent and dew forme, in the saidis landis of Ballnadallocht, with the myln, ailehouse, wod, fischeing and croftis thareof, witht the pertinentis; to be haldin of the said James and his aires maile, in fewferme and heretage, for foure pundis of few to be payit thairefor zeirlie at tua termes in the zeire, Witsounday and Martimes in winter, be evin portiounis, be the said Johne and his airis maile, and failzeing of thame to returne againe to the said James and his airis maile: The said Johne and his airis maile vpone thaire expensis, betuix this and Witsounday nixt to cum, raissand oure souerane Lordis confirmatione of the said charter of few: And als the said James and his airis maile sall solist, laboure, and do thaire wter, extreme, exact, and

possibill deligence, to gett to the said Johne and his airis maile in lang takkis or heretabilly in few ferme the kyrkland of the parochin of Adwe, at the handis of the bischop of Murray and his successouris; and als of the landis of the chaplanery of Petkais and Foynis and Tulaichcarne, at the handis of the personis that now hes thame or salhappin efterwart till haif thame in tyme cuming: For the quhilk the said Johne and his airis maile sall neuer solist, desyire, nor lawboure to haife nor gett, nor zitt brouke takkis, kirkis, nor rowmes within the boundis of Strathspey, except the landis abone writtin, withoute expres licence and consent of the said James and his airis maile had and obtenit thairupone: And als the said Johne in all gudelie haist sall tak new infeftment of all his landis ellis conqueist be him, and siclike to be conqueist in tyme cuming, to him and his airis maile, quhilkis failzeing, to the said James and his airis maile quhatsumeuer: And als sone as the said Johne gettis heretabill infeftment in few of the saidis lands of Ballnadallocht in maner abone writtin, he sall giff his band of manrent for him and his airis, and als his assistaris and parte takaris, vnder his proper seile, in the best and sickerrest forme that can be diuisit, to the said James and his airis maile, as the laif of his kyn dois, for thaire liftymes, thaire allegeance to the Kingis Grace alanerlye exceptit; the said James and his airis maile gevand to the said Johne and his airis maile ane sufficient lettir of mantenance in the samyn forme: And the said Johnis airis maile sall deliuer to the said James and his airis maile at thair enteres to the saidis landis of Ballnadallocht, als sone as thai gett thaire precept of seising thairof, thaire autentik band and manrent for thaire tyme, as is abone expremit: And als the said Johne sall sett in assedatioun to Patrik Grant, his brother, within foure zeris nixt to cum, or ony vther tyme thare efter that he beis requirit thaireto, ane davaucht of land within the boundis of the perrochin of Advey, Petkais, and Foynes, quhaire he sall think maist expedient, salang as he hes or may gett takkis thaireof; the said Patrik payand thairefor zeirlie to the lairdis of the grund malis and dewitteis aucht and wount, with gentill mennis seruice to the saidis James and Johne, [gife] he beis requirit be thame thaireto: And to the observing and fulfilling heireof lelelie and trewlie in maner foirsaid, ather of the saidis partyis ar faithfullie bundin and oblist to vtheris, be the faythis and trewthis in thaire bodiis, the halye ewangelis tuicheit, in the maist straite forme and sicker stile of obligatioun that cane be deuisit, but fraude or gyle; na rameid nor exceptioun of law, canone, ciuile, or vther quhatsumeuer, to be proponit in the contrare; renunciand the samyn for thame and thaire airis abone writtin for euer be thir presentis: And for the maire securite thai ar content to be ackit in the officialis bukis of Edinburght for fulfilling of the premissis ather of thame to vtheris for thaire awin parte, vnder the pane of cursing, mansuering, infamite, inhabilite, and tinsale of perpetuale faytht, lawte, and cridence; submittand thame to the said officialis iurisdictioun in this cais, and renunciand all vther iurisdictioun and priuilege in the contrare: In witnes of the quhilk thing to this parte of thir indenturis to remane witht the said James, the said Johne hes affixit his seile togiddir witht his subscriptioun, day, zeire, and place forsaidis, befoire thir witnes, maister

Adam Hunter, persoun of Dupill, Wiliame Grant, maister Androw Blakstok, maister Johne Chepmane, Edward Diksoun, and Schir James Forbes, chaplane, witht vtheris diuers.

JOHNE GRAUNT in Balnadallo[t], w[t] my hand.

Die primo mensis Augusti, anno Domini millesimo quingentesimo trigesimo quinto, moniti sunt prescripti Jacobus Grant de Fruquhye et Johannes Grant de Balnadallocht ex suis propriis confessionibus, sub pena excommunicationis, submittentes se nostre iurisdictioni in hoc casu ad perimplendum et obseruandum omnia et singula contenta in prescripto contractu et indentura, in singulis suis punctis et articulis secundum formam et tenorem eiusdem.

Ita est Johannes Stewart notarius publicus, manu propria.

86. ACQUITTANCE by KING JAMES THE FIFTH to JAMES THE GRANT of Freuchie.
3d January 1535.

REX.

WE GRANT ws thankfullie contentit and payit be the handis of our louit James the Grant of Freuchy of the sowm of ane thousand pundis, vsual money of our realme, in compleit payment of the sowm of twa thousand pundis, aucht be him to ws for our remissioun gevin to him and vtheris his freyndis for certane greit crymys; for payment of the quhilk sowme of ane thousand pundis he and certane vtheris his cautionaris ar ackit in our bukis of counsall, to haue bene payit in our name and behalf to our seruitour, Henry Kemp of Thomastoun: And now we grant ws to haue resavit the samin, as said is, and quitclamys and dischargis the said James Grant, his airis and executouris, of the samin for now and ever; and ordanis the said act, maid in our bukis of counsall apoun the said James and his souerteis, to be annullit, cancellit, and distroyit, the lordis of our counsall seand this our acquictance and discharge; the quhilk act we be the tenour heirof dischargis, cancellis, and annullis. Subscriuit with our hand, and gevin onder our signet, at our castell of Striueling, the thrid day of Januar, the zeir of God j[m]v[c]xxxv zeris, and of our regne the xxiij zere. JAMES REX.

87. RETOUR of JAMES GRANT of Freuchie in the lands of Freuchie and others.
3d October 1536.

HEC INQUISICIO facta apud burgum de Inuernes, in pretorio eiusdem, coram honorabili viro Alexandro Balze, vicecomite deputato de Inuernes, tercio die mensis Octobris, anno Domini millesimo quingentesimo trigesimo sexto, per hos infrascriptos, videlicet, Johannem Grant de Culcabok, Alexandrum Strathachin de Cullodyn, Alexandrum Dolles de Cantra, Johannem Cuthbert Veteris Castri, Johannem Grant in Ball[n]adallach, Thomam Narne de Cromedaill,

Patricium filium Patricii Grant, Patricium filium Johannis Grant in Tullochgorme, Ranaldum Allanson in Straharrok, Thomam Ewinsone de Monyok, Thomam Patersone, Willelmum Patersone, Andream Achlek, Jacobum Johnesone, et Johannem Jamesone, in Straspeye: Qui iurati dicunt quod Johannes Grant de Fruchy, pater Jacobi Grant, latoris presencium, obiit vltimo vestitus et sazitus vt de feodo, ad pacem et fidem supremi domini nostri regis, de totis et integris terris de Fruchy, cum castro et fortalicio eiusdem, et duabus Culquhittis, Achnegall, Daillfowir, duabus Cwnigaiis, Glenloch, cum molendinis et pertinenciis earundem, iacentibus infra bondas de Straspeye et vicecomitatum de Inuernes; necnon de terris de Bradland, cum castro et fortalicio de Vrquharde, cum sex mercatis terrarum de Kilsancniniane, sex mercatis terrarum de Karrowgarrou, sex mercatis terrarum de Drumboy, tres mercatas terrarum de Vester Bunlawoid, tres mercatas terrarum de Myd Bunlawoid, tres mercatas terrarum de Estir Bunlawoid, sex mercatas terrarum de Balmakachin, sex mercatas terrarum de Gartlie, sex mercatas terrarum de Polmale et Dwlschange, nouem mercatas terrarum de tribus Inchbrenis, tres mercatas terrarum de Mekill Deweach, cum officio forestrie de Clwny, cum molendinis ac vniuersis et singulis pertinenciis, iacentes in dominio de Vrquhard et vicecomitatu de Inuernes: Et quod predictus Jacobus Grant est legittimus et propinquior heres dicti quondam Johannis, patris sui, de dictis terris, fortaliciis, molendinis et pertinenciis: Et quod dictus Jacobus est legittime etatis: Et quod dicte terre de Fruchy, cum castro et fortalicio eiusdem, cum duabus Culqwhittis, Achnegall, Daillfowre, duabus [Cwnigaiis,] Glenlocht, cum molendinis et pertinenciis earundem, valent nunc per annum quadraginta octo libris monete currentis Scocie, et valuerunt tempore pacis viginti quatuor libris prefate monete: Et quod antedicte terre, cum fortalicio, molendinis, cum pertinenciis, tenentur de supremo domino nostro Rege per seruicium varde et releuii: Et quod omnes alie predicte terre, videlicet, terre de Bradland cum castro et fortalicio de Vrquhard, sex mercate terrarum de Killsancniniane, sex mercate terrarum de Karrowgarrou, sex mercate terrarum de Drumboye, tres mercate terrarum de Vester Bunlawoid, tres mercate terrarum de Myd Bunlawoid, tres mercate terrarum de Ester Bunlawoid, sex mercate terrarum de Ballmakachin, sex mercate terrarum de Gartlie, sex mercate terrarum de Polmalie et Dwlschange, nouem mercate terrarum de tribus Inchbrenis, tres mercate terrarum de Mekill Deweach, cum officio forestrie de Clwnye, cum molendinis ac vniuersis et singulis pertinenciis, tenentur de supremo domino nostro Rege per seruicium feodofirme; reddendo inde annuatim dicto supremo et successoribus suis, regibus Scocie, quadraginta sex libras sex solidos et octo denarios monete currentis Scocie, vt in nouo rentali dicti supremi latius continetur, vnacum duplicatione feodofirme, cum contigerit et maritagium: Et quod omnes predicte terre cum fortaliciis, molendinis et pertinenciis, tam terre varde quam feodofirme, nunc existunt in manibus dicti supremi domini nostri Regis, per decessum dicti Johannis Graunt patris prefati Jacobi, qui obiit in mense Maii anno Domini millesimo quingentesimo vigesimo octauo, in defectu dicti Jacobi veri heredis ius suum ad huiusmodi terras hucusque minime prosequentis.

Datum et clausum sub sigillo dicti vicecomitis deputati, et sigillis quorundam eorum qui dicte inquisicioni intererant, loco, die, mense, et anno quibus supra.

88. Retour of James Grant of Freuchie in the half of Mulben, etc. 28th July 1539.

Hec Inquisitio facta fuit infra pretorium burgi de Elgin, coram honorabili viro Roberto Dunbar de Durris, vicecomite deputato de Elgin et Fores, vicesimo octauo die mensis Julii, anno Domini millesimo quingentesimo tricesimo nono, per hos subscriptos, videlicet, Johannem Graunt de Culcabok, Alexandrum Leslie de Kynnynnowe, Johannem Ogiluy de Kempcarne, Alexandrum Gordoun de Brodland, Vilhelmum Gaderar prepositum de Elgin, Robertum Falconar de Murrestoun, Alexandrum Murray de Foquhabirs, magistrum Alexandrum Cuming in Barmukty, Archibaldum Mullansone in Tary, Andream Innes in Coitis, Johannem Dik in Inschernocht, Robertum Cruschank in Auchoraquhy, Vilhelmum Douglas seniorem, burgensem de Elgin, Johannem Bayne ibidem, Dauid Talzour ibidem, Johannem Forsythe ibidem, et Vilhelmum Zoung ibidem: Qui iurati dicunt quod quondam Johannes Graunt de Freuquhy, pater Jacobi Graunt de Freuquhy, latoris presentium, obiit vltimo vestitus et sasitus vt de feodo, ad pacem et fidem supremi domini nostri Regis, de tota et integra dimedietate ville et terrarum de Mulben cum pertinenciis suis vniuersis iacentium infra vicecomitatum de Elgin; necnon de totis et integris villa et terris de Mekill Balnabrochis cum suis pertinenciis vniuersis, iacentibus infra vicecomitatum antedictum: Et quod dictus Jacobus est legitimus et propinquior heres eiusdem quondam Johannis sui patris de dictis terris: Et quod est legitime etatis: Et quod tote et integre antedicte terre dimedietatis de Mulben cum suis pertinenciis, vnacum totis et integris villa et terris de Mekill Balnabrochis cum suis pertinenciis vniuersis, valent nunc per annum octodecim libras vsualis monete regni Scotie, et in tempore pacis valuerunt per annum quinque libras eiusdem monete: Et quod tote et integre antedicte terre cum suis pertinenciis vniuersis tenentur in capite de supremo domino nostro Rege per seruitium varde et releuii: Et quod tote et integre antedicte terre fuerunt et sunt in manibus supremi domini nostri Regis, ratione nonintroitus a die obitus dicti quondam Johannis Graunt, qui obiit primo Maii in anno Domini millesimo quingentesimo vigesimo nono, extendentis ad spacium decem annorum aut eocirca, in defectu dicti Jacobi sui heredis ius suum ad predictas terras hactenus minime prosequentis. Data et clausa sub sigillo vicecomitis predicti, vnacum sigillis quorundam eorum qui dicte inquisitioni intererant hiis presentibus appensis, necnon breui regio intus clauso, sub anno, die et mense, quibus supra.

89. Instrument narrating that James Grant of Freuchie requested from James Forsyth, Macer, a copy of the King's Letters obtained by the Preaching Friars of Elgin, with a view to his obeying the same. 5th December 1539.

In Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno incarnacionis Dominice millesimo quingentesimo trigesimo nono, mensis vero

Decembris die quinto, indictione decima tercia, pontificatus sanctissimi in Christo patris et domini nostri domini Pauli diuina fauencia Pape tercii anno sexto: In mei notarii publici et testium subscriptorum presenciis, personaliter constitutus honorabilis vir Jacobus Grant de Freuchuye, omni reuerencia qua decuit, debita cum instancia, requisiuit honestum virum Johannem Forsyth, armigerum supremi domini nostri Regis alias masar, vicecomitem in hac parte, pro copia literarum Regis impetratarum per Fratres Predicatores burgi de Elgin, vt debite dictis litteris in omnibus suis punctis obedire posset: Et quod offert se paratum, tanquam filium et ministrum obedientem supremi domini nostri Regis, vigori et effectui prefatarum literarum parere in posterum, seipsum vllum habere interesse cum incolis et tenentibus manurentibus et occupantibus terras ecclesiasticas ipsis fratribus pertinentes omnino recusauit: Et quicquid dicti fratres iuste et debite ipsum Jacobum requisierint parere et obedire dictis literis, secundum tenorem et effectum earundem, seipsum secundum vires sui corporis, quantum in eum fuit, promptumque et paratum perimpleri et executioni demandari omni tempore offert: Et ad hunc effectum, ad dictum burgum de Elgin venisset, nullum aliud negocium habens post premonicionem et intimacionem prefatarum literarum, vt asseruit: Solempniter protestans, quod premonitio mandati dictarum literarum Regis non sit aut occurrat ei in preiudicium aut dampnum aliquid in futurum, ex quo non potuit habere copiam ipsarum literarum: Super quibus omnibus et singulis prefatus Jacobus Grant vnum seu plura, publicum seu publica, instrumentum seu instrumenta, a me notario publico subscripto sibi fieri peciit: Acta erant hec in domo Johannis Bayne infra burgum de Elgin, hora secunda pomeridiana aut eocirca, sub anno, die, mense, indictione et pontificatu quibus supra; presentibus ibidem, honestis viris Willelmo Ogilby, Gilberto Ogilby, Willelmo Makthomas, Johanne Schauis, Patricio Grant, et Willelmo Grant, cum diuersis aliis ad premissa testibus rogatis pariterque et requisitis.

Et ego Thomas Haye arcium magister, presbyter Morauiensis diocesis, sacra et apostolica authoritate notarius publicus [*etc., in forma communi*].

90. Precept of Sasine by King James the Fifth in favour of John Grant and Margaret Stewart, of the lands of Mulben, etc. 19th February [1539].

Jacobus Dei gracia rex Scotorum, vicecomitibus et balliuis suis de Elgin et Fores ac Inuernys, necnon dilectis nostris Vilhelmo Ogiluy, Donaldo M^cGregor ac eorum cuilibet, coniunctim et diuisim, vicecomitibus nostris de Elgin, Fores, et Inuernys in hac parte, salutem: Quia dedimus et concessimus dilecte nostre Margarete Stewart, filie dilecti nostri consanguinei Johannis comitis Atholie, et nunc sponse Johannis Grant, filii et apparentis heredis Jacobi Grant de Freuchy, in vitali redditu, pro omnibus diebus vite sue,

et dicto Johanni Grant et heredibus suis, omnes et singulas terras de Mulben, cum castro et fortalicio earundem, et terras de Mekle Ballinbroth, cum piscariis molendinis, multuris, tenentibus et tenandriis earundem, cum omnibus suis pertinenciis, iacentes infra vicecomitatum nostrum de Elgin et Fores; ac etiam omnes et singulas terras de le tua Cunynghais, terras de Auldcarne, et terras de Mekill Culquhotht, et Litill Culquhotht, cum piscariis, molendinis, multuris, tenentibus et tenandriis earundem, cum omnibus suis pertinenciis, iacentes infra vicecomitatum nostrum de Inuernys: Quequidem terre, cum castro, piscariis, molendinis et multuris earundem, fuerunt dicti Jacobi Grant perprius hereditarie, et quas idem, per fustem et baculum, in manibus nostris, apud Edinburgh, personaliter sursum reddidit, pureque et simpliciter resignauit, prout in carta nostra desuper sibi confecta plenius continetur: Vobis precipimus et mandamus quatenus prefatis Margarete Steuart, in vitali redditu pro omnibus diebus vite sue, et Johanni Grant hereditarie, vel suis certis actornatis, latoribus presencium, sasinam dictarum terrarum, cum piscariis, molendinis, multuris, tenentibus, tenandriis earundem, cum suis pertinenciis, secundum tenorem dicte nostre carte quam de nobis inde habent, iuste haberi faciatis, et sine dilatione; et hoc nullo modo omittatis: Ad quod faciendum vobis et vestrum cuilibet, coniunctim et diuisim, vicecomitibus nostris de Elgin, Fores, et Inuernys, in hac parte, committimus potestatem. Datum sub testimonio nostri magni sigilli, apud Edinburgh, decimo nono die mensis Februarii, anno regni nostri vicesimo septimo.

91. Letters by King James the Fifth to the Dean and Chapter of Moray. 27th April [1540].

Rex.

Weilbelouit clerkis, we grete zou hertlie weill: Forsamekle as we, for certant gude and resonable caussis moving ws, haue causit ane reuerend fader in God and oure traist counsalour, Patrik bischop of Murray, to set in feuferme to oure louit seruitoure, James Grant of Freuchy, the landis of the barony of Straspey nocht set in few of before, for the commoun weill of our realme, and that he, his kin, frendis, and seruandis, may be the mair reddy and able to serue ws togidder quhen we haue ado: Oure will is heirfore, and we pray zou rycht effectuislie gif zour consent and commoun sele vpoun the said James chartir of feu ferme of the saidis landis, but ony dilay, as ze will do ws singulare emplesour, and report our speciale thankis, nochtwithstanding ony our letteris of discharge gevin to zow in the contrare of before: Forder we haue direct our mynd at mair lenth in this behalf with our seruitour, the bearare, to quham ze sall gif credence. Subscriuit with our hand and vndir our signete, at Sanct Androis, the xxvij day of Aprile, and of our regne the xxvij zere. James R.

To oure weilbelouitt clerkis the dene and cheptoure of Murray.

92. Letters Apostolic by Cardinal Antonius, Penitentiary of Pope Paul the Third, appointing Commissioners for confirming a charter by Patrick Bishop of Moray to John Grant of Balnadalloch, of the lands of Advey and others. 31st April [1540].

Antonius, miseratione diuina titulo Sanctorum Quattuor Coronatorum presbyter cardinalis, discretis viris, abbati monasterii de Kynloss, Morauiensis diocesis, et Gavino Lesley Morauiensis ac Thome Gaderar Aberdonensis ecclesiarum canonicis, salutem in Domino: His que pro singularum ecclesiarum commodo et vtilitate prouide facta fuisse noscuntur, vt perpetuo firma et illibata persistant, sedes apostolica, cum ab ea petitur, libenter apostolicam mandat adiici firmitatem: Exhibita siquidem nobis nuper pro parte Johannis Grant de Balnadalloch, laici Morauiensis diocesis, petitio continebat quod alias venerabilis in Christo pater, dominus Patricius Dei gratia episcopus Morauiensis, de expresso consensu capituli ecclesie Morauiensis ad id capitulariter congregati, vtilitate episcopi et ecclesie predictorum vndique preuisa et pensata, diligenti tractatu et matura deliberatione prehabitis, pro augmentatione rentalis dicte ecclesie seu illius mense episcopalis, necnon decore et politia reipublice regni Scotie, ac contemplatione magnarum pecuniarum summarum dicto episcopo per eundem Johannem gratulanter et integre ac realiter persolutarum et in vsum dicte ecclesie conuersarum, necnon pro aliis gratitudinibus, auxiliis et obsequiis eidem episcopo multipliciter impensis, omnes et singulas terras de Advey, Tullithane, Calledur, Royrorye, Auchnoky, cum singulis suis pertinentiis, quas dictus Johannes tempore infrascripte locationis inhabitabat, in baronia de Straspey et infra vicecomitatum de Elgyn et Fores, et forsan alias iuxta suos confines consistentes, ad dictam ecclesiam seu illius mensam episcopalem legitime spectantes; ex quibus dictus Patricius, et pro tempore existens episcopus Morauiensis, viginti quattuor marcas monete in dicto regno cursum habentis, necnon tres martas nuncupatas, et decem bollas auenarum prius annuatim percipere consueuerat,—dicto Johanni et heredibus suis masculis quibuscunque, et illis deficientibus Jacobo etiam Grant de Freuchty et heredibus suis masculis quibuscunque, et illis forsan omnibus deficientibus, legitimis et propinquioribus heredibus eiusdem Johannis quibuscunque, per eos de dicto Patricio et suis in dicta ecclesia successoribus episcopis in feudifirma et hereditate in perpetuum tenendas et habendas, per omnes rectas metas suas antiquas et diuisas, prout iacebant in longitudine et latitudine, in domibus, edificiis, ac cum omnibus et singulis aliis libertatibus, commoditatibus ac juribus, et pertinentiis suis tunc expressis, libere, quiete, plene, integre, honorifice, bene et in pace, sine impedimento, reuocatione, contradictione, aut obstaculo aliqualibus; sub annuo canone siue censu triginta duarum marcarum, et decem bollarum auenarum, ac trium martarum similium valorem annuum quinque librarum et decem solidorum sterlingorum vel circa constituentium, Patricio episcopo et successoribus predictis per Johannem et heredes suos, necnon in euentus huiusmodi reliquos predictos, vt prefertur, successiue nominatos pro vna, videlicet, in

Penthecostes et alia medietatibus annui canonis siue census huiusmodi in Sancti Martini episcopi mensis Nouembris festiuitatibus, annis singulis, integre soluendo; et per heredes huiusmodi, vt prefertur, successiue nominatos, in primo anno cuiuslibet eorum introitus ad predictas terras nomine feudifirme duplicando; quodque Johannes et heredes sui, ac in dictos euentus reliqui prefati, tres sectas curie ad tria placita capitalia eiusdem Patricii episcopi apud locum Spyne nuncupatum tenenda prestarent; ipsi vero Patricius episcopus et successores omnes et singulas predictas terras cum singulis suis pertinentiis Johanni et heredibus suis, ac in euentus huiusmodi reliquis personis et eorum heredibus predictis, vt prefertur, successiue nominatis, adeo libere, quiete, plene, integre, honorifice, in omnibus et per omnia, forma pariter et effectu, vt premissum est, contra omnes mortales warantizare, acquietare, et in perpetuum defendere, respectiue tenerentur; ac forsan, sub certis aliis pactis, legibus et conditionibus, declarationibus, et limitationibus tunc expressis, saluo dicte sedis beneplacito,—dedit, concessit, locauit, et ad feudifirmam seu emphiteosim hereditarie dimisit, prout in eius charta seu aliis litteris auctenticis desuper confectis plenius dicitur contineri: Cum autem, sicut eadem subiungebat petitio, datio, concessio, arrendatio, locatio et dimissio huiusmodi in euidentem cesserint et cedant dicte ecclesie Morauiensis seu illius mense episcopalis vtilitatem, cupiatque propterea dictus exponens illas pro earum subsistentia firmiori apostolice confirmationis munimine roborari, supplicari fecit humiliter sibi super his per sedem apostolicam de opportuno remedio misericorditer prouideri: Nos, igitur, de premissis certam notitiam non habentes, ac omnium et singularum terrarum et pertinentiarum huiusmodi situationes, confines, veros annuos valores, qualitates, quantitates et circumstantias et veriora vocabula, necnon charte seu litterarum predictarum aliorumque hic latius de necessitate exprimendorum tenores presentibus pro plene et sufficienter expressis habentes, ac attendentes quod in his in quibus quarumlibet ecclesiarum et aliorum beneficiorum ecclesiasticorum euidens procuratur vtilitas, fauorabiles esse debemus atque benigni, auctoritate domini Pape cuius penitentiarie curam gerimus, et de eius speciali mandato super hoc viue vocis oraculo nobis facto, discretioni vestre committimus et mandamus, quatenus vos vel duo vestrum coniunctim procedentes, vocatis episcopo et capitulo predictis, de datione, concessione, arrendatione, locatione, et dimissione ac aliis premissis, vt prefertur factis, diligenter vos informetis; et si per informationem eandem quod ille in euidentem dicte ecclesie Morauiensis seu illius mense episcopalis vtilitatem cesserint et cedant reppereritis, super quibus conscientiam vestram oneramus, easdem dationem, concessionem, arrendationem, locationem et dimissionem, ac prout illas concernunt omnia et singula in charta seu litteris predictis contenta et inde sequuta quecunque, licita tamen et honesta, apostolica auctoritate approbetis et confirmetis, eisque perpetue firmitatis robur adiiciatis, ac ea valida et efficacia existere, suosque effectus, sortiri et perpetuo inuiolabiliter obseruari, sicque per quoscunque judices quauis auctoritate fungentes, sublata eis et eorum cuilibet quauis aliter iudicandi et interpretandi facultate et auctoritate iudicari, et diffiniri debere, et quicquid secus attentari

contigerit, irritum et inane fore decernatis; omnesque et singulos tam iuris quam facti defectus, si qui forsan interuenerint in eisdem, suppleatis, non obstantibus premissis ac felicis recordationis Pauli Pape II. de rebus ecclesiasticis non alienandis, necnon quibusuis aliis apostolicis ac in prouincialibus et synodalibus conciliis editis, generalibus vel specialibus constitutionibus et ordinationibus, ac dicte ecclesie Morauiensi iuramento, confirmatione apostolica, vel quauis firmitate alia roboratis, statutis et consuetudinibus, priuilegiis quoque indultis et litteris apostolicis dicte ecclesie et illius capitulo sub quibuscunque tenoribus et formis, ac cum quibusuis etiam derogatoriarum derogatoriis aliisque efficacioribus et insolitis clausulis irritantibusque et aliis decretis etiam iteratis vicibus concessis, approbatis et innouatis: Quibus omnibus, tenores illorum, ac si de verbo ad verbum, nichil penitus omisso et forma in illis tradita obseruata, insererentur presentibus pro plene et sufficienter expressis habentes, illis alias in suo robore permansuris, hac vice duntaxat specialiter et expresse derogamus ceterisque contrariis quibuscunque. Volumus autem quod, quatenus dicta ecclesia, per moderni episcopi predicti cessum vel decessum aut alias quouismodo ante presentium exequutionem, vacauerit, nichilominus vos vel duo vestrum ad premissorum exequutionem etiam postquam eidem ecclesie de successore prouisum fuerit procedere possitis, ac si locatio huiusmodi per dicti Patricii episcopi moderni successorem facta fuisset. Datum Rome, apud Sanctum Petrum, sub sigillo officii penitentiarie, ij kalendas Maij, pontificatus domini Pauli Pape III. anno sexto.

93. NOTARIAL INSTRUMENT on the abstraction of a Contract between ALEXANDER DOLES of Cantray and GEORGE GORDON, concerning the lands of Rothiemurchus. 1st May 1542.

IN DEI nomine amen. Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum, quod anno incarnacionis dominice millesimo quingentesimo quadragesimo secundo, die vero mensis Maij prima, indiccione decima quinta, pontificatus sanctissimi in Christo patris ac domini nostri, domini Pauli diuina prouidentia pape tercii anno octauo; in mei notarii publici testiumque infrascriptorum presencia, comparuit honorabilis vir, Alexander Doles de Cantra, venerabilemque virum dominum Jacobum Duf, vicarium de Durris, debita cum instancia requisiuit, quatenus quemdam conthractum initum inter dictum Alexandrum et honestum virum magistrum Georgium Gordone, constabularium de Baidzenach, pro alienacione omnium et singularum terrarum de Rathamurkus a dicto magistro Georgio prefato Alexandro facta, pro sua defensione, inquantum lis orta inter eosdem pro dictis terris tempore confeccionis presencium fuit, sibi daret: Quemquidem conthractum magister Georgius et Alexander, vnanimo consensu, prefato domino Jacobo in custodia, vt moris est, deliberabant, ac eundem conthractum ipso domino Jacobo in cubiculo suo proprio, apud burgum de Inuernis existenti, per nominatum magistrum Georgium violenter et minus iuste de manibus suis

euulsum et raptum asseruit: Super quibus omnibus et singulis antedictis, idem Alexander Doles, a me notario publico subscripto vnum vel plura, publicum seu publica, instrumentum aut instrumenta sibi fieri peciit. Acta erant hec in plateis predicti burgi, coram edibus venerabilis viri, domini Magni Waus, prepositi de Thayne, hora vndecima ante mereriem, aut eocirca, sub anno, die, mense, indiccione et pontificatu quibus supra; presentibus ibidem honestis discretisque viris, Fynlao Wyllzemsone, Vilelmo Clark, Johanne Budit, Waltero Couper, burgensibus dicti burgi, Beano M°Conquhy et Johanne M°Gilleis, cum diuersis aliis ad premissa vocatis pariterque rogatis.

Et ego vero Jacobus Farquhardi, arcium magister, presbyter Aberdonensis diocesis, sacra apostolica autoritate notarius, quia premissis, [*etc. in forma communi.*]

94. CONTRACT between JAMES GRANT of Freuchie and KATHARINE NEIN W°ALLAN, relative to the lands of Inverurnane and others. 27th August 1542.

AT ELGIN, the xxvij day of August, the zeir of God ane thousand v° fourty and tua zeiris, it is appunctuat, concordit, and fynalie aggreit betuxe ane honorabill man, James Graunt of Fruquhye one that tain part, and Katheryne Neyn W°Allone one that todyr part, in manyr, forme, and effect as eftyr followis: That is to saye, forsamekill as the said Katheryne is apperand air to wmquhill Johne Makallone hir brodyr, of all and haill the half landis of Inuerwrnane, Theyrnes, and Edinglassy, with thair pertinentis, lyand within the lordschip of Mar and schirrefdowme of Aberdein; siklik is narast and lauchfull ayr to wmquhill Alister M°Allone hir fadyr, of all and haill the half thowne and landis of Inuercabok, lyand within the lordschip of Strathowne and schirrefdowme of Banf, [of] the quhilk landis the saidis Johne and Alister deid last west and sesit; and becaus I ame debarrit and may nocht gait souyr enteres to my saidis landis throcht pouerty and be waye of deid of my one-frindis, I ame secludit fra my iust heretage thairthroch, be the space of xvi zeiris bygane or thairby; be rasone of the quhilkis I ame content, for the gret gratitudis, thankkis, plesouris, and support doin to me in my gret necessite be the said James, that he rais breuis of our souerane Lordis chappell, or ony odyr waye accordyng to law, to caus me to be dewlie enterit of my saidis landis, and sal mak hyme ane sufficient procuratory to that effect; and quhow schwyne it may happyne me, the forsaid Katheryne, to be enterit and seruit in the said landis, thane and in that cais, be the tenour heyrof [I] bindis and obleis me be the fayth and treuth in my body, in the maist secuyr and stratast forme and styill of obligatione in sik caises ar vsit, or be the law and consuetud of the realme cane be deuisit, but delay . . . ourgif and renunce, for me, my airis and assingnais, eftyr I be thairin west and sesit be precept and chairtour of sesing, all and haill the forsaid half landis of Inuerwrnane, Theirnes, and Edinglassy, and the half landis of Inuercabok, with their rychtuus pertinentis and profittis quhatsumeuyr; with al rycht, titill of rycht, cleyme of rycht, propirty and possessione that I, my airis or assingnais,

may in ony tymis cuming haue to the forsaid half landis of Inuerwrnane, Theirnes, and Edinglassy, and the half landis of Inuercabok, to the said James, his airis and assingnais, heretabilly, with thame to remayne: For the quhilkis the said James giffis me at the makking of this conthrak tene merkis numerat mone wsuale mone of the realme, quhilk I am content and pait thairof: And the said James bindis and obleissis hyme, his airis and assingnais, to gif to the said Katheryne auch oxin gang of land in Ouyr Congas or Aldquharne, lyand within the barony of Fruquhy and schirefdowme of Inuernis, for all the dais of hyr lyf, for penny maill alanerly, exceppand schow salbe haldyne to ansuyr to the kingis seruis, and wphald the biggyne; and sal gif hyr for the plenising of the samyn auch drawand oxin, xxiiij ky, and ane bull, twa wark hors, thre scoyr bollis aitis, xx bollis beyr, and sall find the said Katheryne ane honest sustentacioune of met and clait ay and quhill schow be enterit in hyr said landis, and hes gottin ane zeiris crop nixt eftyr hyr entre to the said tack, quhilk salbe, God willing, at the fest of Witsunday, in the zeir of God ane thousand v^c fourty and tua zeiris, with the forsaid plenising to be deliuerit hyr at the terme of hir said entre to the said tak: And in cais it happin, as God forbeid to do, me, the said Katheryne, to reuok or mak reuocacione of ony part of this present conthrak, than and in that cais, ay and saye oft as I reuok and makkis reuocacione, I bind and obleiss me to ratify and appreue, and be the tenour heyrof the samyn ratefeis and appreuis, without fraud, gyill, reuocacione or contradiccione, and ony contrach or obligacione maid be me till ony odyr man, in generale or in speciale, in ony tymis bygane, reuokkis, excassis, and annullis the samyin, and al that may follow thairapone: And for faythfull obseruyng and keping of all [and] syndry the punctis of this present conthrak, atheyr the saidis parteis hes subscriuit the samyn as eftyr followis; and ar contentit the samyn be registrat in the officialis buikkis of Murray, in forme of act, ondyr the panis of cursing, with letteris to be leuat in the samyn; befor thir witnes, honorabill men, Johne Grant of Culcabok, Johne Graunt in Culquhice, William Ogylwy of Alaneboy, Duncane M^cEan M^cConquhy, Schir Johne Maitland, Maister Thomas Hay, and Maister James Farquharsone, notaris publikkis, with odyris diuerss.

KATHERINE NEIN W^cCALOM, with my hand tuytching the pen, led be Maister Thomas Haye, notar publice.

JAMES GRANT of Fruquhy, with my hand.

Actum xxviij Augusti, in anno Domini millesimo quingentesimo quadragesimo secundo.

Quo die, honorabilis vir Jacobus Grant de Fruchye et Kathirina Neyn W^cCaloun infrascripte partes subicientes seipsos iurisdictioni Episcopali Morauiensi in hoc casu, renunciantes aliis priuilegiis iuris et facti voluntarie ex eorum propriis confessionibus, moniti sunt ad perimplendum omnes et singulos punctos in infrascripto contractu sub pena excommunicacionis maioris: Teste, nostra subscripcione manuali, apud Elgin, die, mense, anno quo supra.

ALEXANDER SUTHERLAND, decanus Cathanensis ac officialis Morauiensis, manu propria.

95. Letters by James Grant of Freuchie, bailie of the barony of Kinloss, appointing Alexander Cumming of Altyre his bailie-depute. 20th June 1544.

Be it kend tyll all men be thir present letteris, me, James Grant of Freuchy, baillie to ane reuerend fader in God, Robert bischope of Orknay, abbot of Kinlos and convent of the samyne, of thair land and barony of Kinlos, for all the dayis of my life, as thair letter maid to me thairupoun vnder thair commoun seile and subscriptioun manuale proportis, with thair consent and assent, to haue maid, create, constitute and ordanit, and be the tennour heirof makis, creatis, constitutis, and ordanis my weil beluffitt and traist freynd, Alexander Cummyng of Alteir, my baillie depute of Kinlos in my absence, for all the dayis of myne and the said Alexander liftymes: Gevand, grantand, and committand to the said Alexander, my baillie depute forsaid in my absence, courtis within the said barony of Kinlos to sett, hald and afferme; trespassouris and faltouris to punys; vnlawis and amerciamentis, at the command of the said reuerend fader and convent, and to thair behufe and proffitt, to wptak and rais; wappinschawingis to warne and hald; the tennentes and inhabitantis of the said barony of Kinlos afoir ony iugeis, spirituale or temporale, summound, callit or arrestit, to replege; colorath to fynd; and generaly all and sindry vthir thingis to haunt, vse and exerce that to the office of bailliorie depute pertenis, or in siclik casis may pertene, be the law, vse or consuetude of the realme: Halding and for to hald ferme and stable all and quhatsumeuir thingis my said baillie depute ledis to be done in the premissis, vnder the pane of all my gudis, movable and vnmovable, present and to cum: In witnes of the quhilkis to thir my letteris of bailliory, subscriuit with my hand, my seile is to hungin, at Kinlos, the tuenty day of Junii, the zeir of God ane thousand fife hundreth and fourty four zeris; befoir thir witnes, ane rycht honourable man Schir Johnne Campbell of Caldour, knycht, Archibald Campbell, his sone and apperand air, Johnne Grant of Culcabok, Schir Stevin Culros, persoune of Stronsay, Alexander Cummyng of Ernsyde, Maister Alexander Cummyng, and Maister Petir Galbrath, with vtheris diuers. James Grant of Fruquhy.

96. Letters Apostolic by Antonius, Great Penitentiary of Pope Paul iii., appointing Commissioners for confirming a Charter by Patrick Bishop of Moray to William, son of James Grant of Freuchie, of the lands of Over Fynlarg and others. 21st August 1544.

Antonius miseratione diuina episcopus Sabinensis, discretis viris decano et cancellario Rossensis et thesaurario Orchadensis ecclesiarum, salutem in Domino. His que pro ecclesiarum quarumlibet commodo et vtilitate prouide facta fuisse noscuntur, vt perpetuo firma et illibata persistant, sedes apostolica, cum ab ea petitur, libenter auctoritatis sue adiicit firmitatem: Exhibita siquidem nobis nuper, pro parte Wilhelmi Grant, filii Jacobi Grant de

Fruquhy, laici Morauiensis vel alterius diocesis, petitio continebat, quod alias venerabilis in Christo pater, dominus Patricius Dei gracia episcopus Morauiensis, cupiens ecclesie sue Morauiensis vtilitati et sui rentalis augmentationi, ac reipublice regni Scotie decori et politie consulere, et ad gratitudines, auxilia et benemerita, per dictum exponentem sibi multipliciter prestita debitum respectum habere, soluta prius sibi per dictum exponentem quadam magna pecuniarum summa in suum et dicte ecclesie sue vsum conuersa, omnes et singulas terras suas de Wune Fynlarg, alias Mukroth Wuerfynlarg, et Neddyrfynlarg cum pertinentiis suis, consistentes infra baroniam de Strathspey et regalitatem de Spyny ac vicecomitatum de Elgin et Foras, dicto exponenti et heredibus suis masculis de corpore suo legitime procreatis seu procreandis; et, eis deficientibus, dicto Jacobo Grant et heredibus suis masculis de corpore suo procreatis seu procreandis; et eis omnibus deficientibus, veris legitimis et propinquioribus heredibus masculis dicti Jacobi Grant quibuscunque, cognomen et arma de Grant gerentibus; per eos de dicto et pro tempore existenti episcopo Morauiensi in feudifirmam siue emphiteosim et hereditarie imperpetuum tenendas et habendas, per omnes rectas metas suas antiquas et diuisas, prout iacebunt in longitudine et latitudine, cum suis pertinentiis, ac omnibus et singulis libertatibus, commoditatibus, proficuis et asiamentis, libere, plenarie et in pace, sine aliquo impedimento, reuocatione, contradictione, aut obstaculo aliquali; sub annuo canone siue censu viginti duarum librarum et sexdecim solidorum monete vsualis dicti regni, valorem quatuor librarum sterlingorum non excedentium, videlicet, sexdecim librarum et sexdecim solidorum pro antiqua firma, martis et bollis auenarum insimul computatis, ac et[iam] pro augmento rentalis librarum sex dicte monete, insimul dictam summam viginti duarum librarum et sexdecim solidorum constituentium, per exponentem et assignatos ac heredes prefatos dicto et pro tempore existenti episcopo Morauiensi annuatim, pro vna in Penthecostes et alia medietatibus canonis siue census huiusmodi in Sancti Martini hiemalis festiuitatibus, integre persoluendo; et per heredes predictos primo anno eorum introitus ad dictas terras, prout est vsus nomine feudifirme, duplicando; et quod exponens et Jacobus ac heredes predicti respectiue sectam et personalem presentiam ad tres ipsius episcopi curias principales et capitales apud Spyny, et similem sectam et personalem presentiam in quolibet ipsius episcopi itinere iusticiario sue regalitatis de Spyny, ac tenentes ac habitatores dictarum terrarum suas personales presentias in huiusmodi itinere iusticiario quotiens teneri contigerit prestare; ac exponens et heredes sui, et, eis deficientibus, Jacobus et heredes sui antedicti, dicto et eius successoribus Morauiensibus episcopis et dicte ecclesie Morauiensi fideles esse, et grata seruitia prestare: Necnon exponens et heredes sui ac tenentes et habitatores terrarum huiusmodi in exercitu regio ad guerras, cum eas moueri contigerit, cum ipso episcopo vel balliuo suo ad hoc per eum deputato, sumptibus suis, cum armis, indumentis, rebus bellicis, et ceteris necessariis et ad hoc congruentibus decenter secundum consuetudinem patrie et decreta parliamenti ac statuta regni prouisi pergere; ac dictus et eius successores, Morauienses episcopi, omnes et singulas terras prenominatas exponenti et Jacobo ac heredibus predictis

respectiue, adeo libere et quiete, in omnibus et per omnia, forma pariter et effectu, vt premissum est, contra omnes mortales warantizare, acquietare, et imperpetuum defendere tenerentur; ac forsan, cum aliis pactis, conditionibus, declarationibus, limitationibus, et extensionibus; cum expresso consensu et assensu capituli dicte ecclesie Morauiensis ad hoc capitulariter congregati—dedit, concessit, arrendauit, locauit, ac ad feudifirmam seu emphiteosim hereditarie dimisit, prout in charta seu literis patentibus desuper confectis dicitur plenius contineri: Cum autem, sicut eadem subiungebat petitio, datio, concessio, arrendatio, locatio et dimissio huiusmodi in euidentem cesserint et cedant dicte ecclesie vtilitatem; ac propterea dictus exponens cupiat illas pro earum subsistentia firmiori apostolice confirmationis munimine roborari, supplicari fecit humiliter sibi super his per sedem predictam de opportuno remedio misericorditer prouideri: Nos igitur de premissis certam notitiam non habentes, ac singularum terrarum et pertinentiarum ac firmarum huiusmodi situationes, confines, veros annuos valores, qualitates, quantitates, et circumstantias, ac veriora vocabula; necnon charte seu literarum predictarum aliorumque hic latius de necessitate exprimendorum tenores presentibus pro plene et sufficienter expressis habentes; ac attendentes quod in his in quibus ecclesiarum procuratur vtilitas fauorabiles esse debemus atque benigni, auctoritate domini Pape, cuius penitentiarie curam gerimus, et de eius speciali mandato super hoc viue vocis oraculo nobis facto, discretioni vestre committimus et mandamus quatenus vos vel duo vestrum coniunctim procedentes, vocatis Patricio episcopo, aut dicta ecclesia per cessum vel decessum dicti Patricii vel alias ante presentium executionem vacante, illius in dicta ecclesia successore, de datione, concessione, arrendatione, locatione et dimissione ac aliis predictis diligenter vos informetis; et si per informationem huiusmodi quod ille in euidentem dicte ecclesie vtilitatem cesserint et cedant repereritis, super quibus vestram conscientiam oneramus, dationem, concessionem, arrendationem, locationem, et dimissionem predictas, et prout illas concernunt omnia et singula in charta seu literis predictis contenta et inde secuta quecunque, licita tamen et honesta, apostolica auctoritate approbetis et confirmetis, eisque perpetue firmitatis robur adiiciatis; ac ea valida et efficacia existere, suosque effectus sortiri ac inuiolabiliter obseruari, sicque per quoscunque iudices quauis auctoritate fungentes, sublata eis et eorum cuilibet quauis aliter iudicandi et interpretandi facultate et auctoritate, iudicari et diffiniri debere; et quicquid secus attemptari contigerit irritum et inane decernatis; omnesque et singulos tam iuris quam facti defectus, si qui forsan interuenerint in eisdem, suppleatis; non obstantibus premissis ac felicis recordationis Pauli Pape II. de rebus ecclesiasticis non alienandis, necnon quibusuis aliis apostolicis ac in prouincialibus et sinodalibus conciliis editis, generalibus vel specialibus constitutionibus et ordinationibus, necnon dicte ecclesie etiam iuramento, confirmatione apostolica vel quauis firmitate alia roboratis, statutis et consuetudinibus, priuilegiis quoque indultis, et literis apostolicis ecclesie et capitulo huiusmodi, singulisque canonicis et personis, sub quibuscunque tenoribus et formis ac cum quibusuis etiam derogatoriarum derogatoriis, aliisque fortioribus, efficacioribus et insolitis clausulis irritantibusque et aliis

decretis etiam iteratis vicibus concessis, approbatis et innouatis: Quibus omnibus, illorum tenores, ac si de verbo ad verbum insererentur presentibus, pro plene et sufficienter expressis, et formam in illis traditam pro indiuiduo obseruatam habentes, illis alias in suo robore permansuris, hac vice dumtaxat specialiter et expresse derogamus, ceterisque contrariis quibuscunque. Volumus autem quod ad singularum aliarum personarum et heredum predictorum instantiam ad executionem presentium procedere possitis, ac si ad cuiuslibet eorum petitionem concesse fuissent. Datum Rome, apud Sanctum Petrum, sub sigillo officii penitentiarie, xij kalendas Septembris, pontificatus domini Pauli Pape III. anno decimo.

97. CONTRACT between GEORGE EARL OF HUNTLY and JAMES GRANT of Freuchie, and others. 25th March 1545.

AT INUERNES, the xxv day of Marche, the zeir of God ane thousand fyf hundretht and forty fyf zeiris, it is appuyntit, aggreit and fathfullie promesit betuixt ane nobill and mychty lord, George erl of Huntlie etc., on that ane pairt, and honorabill men, James Graunt of Freuhy, Willem Makyntosche of Dunauchtane, Johnn MakKennycht of Kyntaill, Alexander Ros of Ballengowyn, Robert Monro of Fowlis, on that vthir pairt, in maneir, forme and effect, as eftir followis: That is to say, that the saidis Johnn MakKennycht of Kyntaill, Alexander Ros of Ballengowyne, and Hectour [Robert] Monro of Fowlis, for thame selfis, kyne, freindis, seruandis and parttakaris, bindis and oblices thame, lelelie and trewlie, be the fatht and treutht in thair bodeis, to serue and tak plane, trew, and anefauld pairt wytht the said erle in recouering and getting of the takis and erledoume of Ros at the Quenis, gouernouris, cuntas of Murrays handis, or ony vthiris hafand rycht, titill, or entres thairto: And gyf the said erle gettis nocht haistelie just rycht and titill thairto, thane and in that cais, all the foirsaidis personis, and euery ane of thame, byndis and oblices thame fathfullie, as said is, that tha nor nayne of thame sall serue, manteyine, defend, nor obey ony vthir persone or personis of quhat degre or stait that euer tha be, in bruikyne of the saidis takis and erldome, except the foirsaid erle, bot sall at the vtermaist of our powaris stoip, cummer, and disobey ony vthiris, makand thame to haue entres to the samyn; and sall at our vter powaris defend and supple the said erle, his seruandis and factouris, in peciabill bruikyne of the said erldome and takis, and nayne vthiris, as said is, nochtwythstanding ony cherges, letteris, feis, rewardis, or ony vthir plessour or profeit that ony vthir person or personis ma do to ws, our sonis, kyne, freindis, or parttakaris: Atour, it sall nocht be leifsum to ws, nor nayne of ws, to tak nor haue of ony persone or personis clemand or haifand rycht to the saidis takis of Ross, ony bailzeriis, capitanreis, and keipeyne of houssis, takis, stedingis, profeit or feis of the said landis of Ros, bot alanerlie of the said erl of Huntlie: For the quhilkis foirsaidis causis the foirsaid George erl of Huntlie, etc., byndis and oblices him fathfullie to the foirsaidis personis, that he sall nocht assyst, manteyine, defend, nor thoill, at his powar, nay maner of person nor personis to haue rycht

nor entres to the said takis of Ros, nor aggre nor appwynt with nay person nor personis by the awys and consent of the foirsaid personis; and the said erl sall gyf and mak haue to the said Johnn MakKennycht sic bailzeriese and vthir plessouris for him and his sone as is commonit betuixt the said erle and the said Johnn MakKennycht, in presens of ane honorabill man James Graunte of Freuchy and maister Willem Gordoun, noter publik, and instrument takin thairvpon: Provyding allways that the said Johnn and his sone, Kennocht MakKennycht, gyf thair bandis of manrent and seruice to the said erle, as wes thane commonit, the said erle gyfand his band of manteinans to thame thairvpon: And als the said erl sall gyf and mak haue to the saidis Alexander Ros of Ballengowyn and Robert Monro of Fowlis sic landis, feall and bailzeriis, as the said erlis band of manteinans gevin to thame thairvpone beris: And als the saidis Makkennycht, lardis of Ballengowyne, of Foulis, sall anefauld and trewly concur togydder wytht thair kyne, seruandis, and freindis, and nocht ane disever fra ane vthir in the effec foirsaid: And atour, all the foirsaidis personis promittis to be leile and trew seruandis to the said erle, conforme to thair bandis and promeas maid be thame to the said erle of befoir: Provyding that all the foirsaidis personis haue thair feis and rewardis, as is in lykwys promesit to thame be the said erle: And euery ane of the foirsaidis personis sall manteyine, help, and do for vthiris as proximite of bluid and kyndnes past of befoir requires: And als, it sall nocht be leifsum to the said erl nor personis foirsaids, nor ony of thame, till aggre nor appwynt with the Ilis men, Clanchamron nor Clanrannald, without the awys of vthiris: And for the faithtfull obseruing and keipeyne of all and syndry thir premissis, the foirsaid erle and personis foirsaidis bindis and oblices thame faithtfullie be the fatht and trewth in thair bodeis, the haly ewangelistis twechyt, nevir to cum againe this present contrakt, nor nay pwynt thairof, vnder the pane of infame, periure, and oppyne schame, and neuer to be haldyne as trew, fathfull, honest men heirefteir: In fatht and wytnes of the quhilk, the foirsaid erle and all the personis forsaidis hes subscriuit this present contrak with thair handis, zeir, day and place foirsaidis, befoir thir wytnes.

GEORGE ERLL OFF HUNTLY.
JAMES GRANT of Fruquhy.
WILLIAM MACKINTHOSE of Dovnnacht[a]n.
JOHNN MAKKENNYCHT of Kintaill, with my hand leid at the pen be Robert Merser, noter.
ALEX[R] ROS of Balnagown.
ROBERT MUNRO of Foulis.

98. CONTRACT between JAMES GRANT of Freuchie and ALEXANDER DOLAS of Cantray. 23d April 1545.

AT ELGIN, the tuenty thrid day of Apryill, the zeir of God ane thousand fife hundreth fourty and fife zeris, it is appunctuat, concordit, and finale aggreit abetuxe ane honorabill man, James

Graunt of Fruquhye, on that tain part, and Alexander Dolas of Cantray on that todyr part, in manyr, forme and effect as eftyr followis: That is to say, the said James Graunt bindis and obleissis hyme self, his airis, execoutouris and assingnais, that, God willing, he sall infeft heritabilly the said Alexander Dolas, his airis, execoutouris and assingnais, be chartyr and precept of sesing, in all and haill the landis of the half of Estyr Wrquhart, Cantray, Done and Dalgramycht, lyand within the schirefdome of Narne and barony of Cloway, with all and sindry thair pertinentis, and that odyr be assingnacione and confirmacione, to be haldyne of our souerain lady the Quenis Grace and hir successouris, or be plain alienacione, as likkis best atheris the saidis parteis; and this to be doin betuxe the dait heyrof and the fest of Sanct Martyne nixt to cum immediate and subsequent: And als the said James bindis and obleissis hyme self, his airis, execoutouris and assingnais, he sall infeft heretabilly the said Alexander Dolas, his airis, execoutouris and assingnais, in all and haill the landis of Cloway, lyand within the forsaid barony and schyir, with all and syndry thair pertinentis, mill multuris, and all maner of dewitteis pertenyng the samyn, within the space of sewin zeiris nixt following the dait heyrof; or ellis the saidis James, his airis, execoutoris or assingnais, sall content, refund, and pay to the said Alexander, his airis, execoutoris or assingnais, the sowme of ane thousand merkis wsuale mone of Scotland, in the space of the forsaid sewin zeris: And in likwyis that the said James, his airis, execoutouris or assingnais, sall pay to the said Alexander, his airis, execoutouris or assingnais, the sowme of xx merkis zeirly wsuale mone of [the] realme, at twa consueit termis of the zeir, viz., Witsunday and Martymes, ay and quhill he, his airis, execoutouris or assingnais, infeft heretabilly, as said is, the forsaid Alexander Dolas, his airis, execoutouris or assingnais, in all and haill the landis of Cloway, with the mill of the samyn, and that to be pait of the landis of Clowre and Wester Cur: And mayratour, the said James, his airis, execoutouris or assingnais, sall content and pay to the said Alexander Dolas, his airis, execoutouris or assingnais, the sowme of iiij hundreth merkis wsuale mone, betuxe the dait heyrof and the vij day of Maii nixt following; and twa hundreth merkis at the fest of Witsunday nixt thereftyr following: For the quhilkis the said Alexander Dolas bindis and obleissis hyme, his airis, execoutouris, and assingnais that he heretabilly infeft the said James, his airis, execoutouris or assingnais, in all and haill the landis and barony of Rathamurkus, with tenentis and tenendry, tyndis, multuris, profitteis and all oderis commoditeis that pertenis or may pertein thairto, lyand within the schirefdome of Inuernis and regalite of Spyne, within viij dais that the said James Graunt, his airis, execoutouris or assingnais infeftis the said Alexander Dolas, his airis, executouris or assignais in the forsaid landis of Estyr Wrquhart, Cantray, Doune and Dalgrawmycht, as is abune exprimit: And gif saye beis that this present conthrak be nocht maid in dew forme, it salbe lesum the said conthrak to be extendit in the maist vberior forme practitak or speculatiue, with all clauses necessaris, as men of law can dewis: And gif saye beis, as God forbeid, that ony of the parteis forsaidis resultis or gainstandis in ony punctis prenominat, the pairty brakand sall pay

the sowme of tuelf hundreth merkis; the quhilk tuelfth c. merkis salbe distribuit, viz., to the Quenis Grace iiij hundreth merkis, fouyr hundreth merkis to the reparacione of the cathedrall kyrk of Murray, and four hundreth merkis to the pairty that the falt is maid to: And quhane and quhow schwin the said James, his airis, execoutouris or assingnais, infeftis the said Alexander Dolas, his airis, execoutouris or assingnais, in the landis of Estyr Wrquhart, Cantray, Doune, and Dalgrawmycht, than and in that cais the said Alexander Dolas, his airis, execoutouris or assingnais, sall deliuer the said James, his airis, execoutouris or assingnais, all charteris, documentis, instrumentis and reuersionis of all landis that ar wedset at the making of thir presentis; and forder, that the said Alexander, his airis, execoutouris or assingnais, sall nocht wedset, alienat, nor away put nay landis of the forsaid barony of Rathamurkus odyr nay thair is wedset at the makking of thir presentis: And for obserwing and keping of all and syndry premissis, atheris the saidis parteis ar content that this present conthrak be registrat in the officialis buikkis of Murray, to be kepit and obseruit ondyr the pain of infamite, inhabilite, cursing and mensuering, and as God forbeid: And rycht saye hes subscriuit this present conthrak, at Elgin, day, zeir, and place forsaid, befor thir witnes, ane venerabill man Maister Alexandyr Suthirland, deane of Catnes and officiale of Murray, Johne Grant of Culcabok, Thomas Narne of Cromdall, Schir Johne Scherar, vicar of Ardclauch, Schir John Maitland, chaipland, and Maister James Farquharson, and Schir Johne Gibsone, notaris publice, with oderis diuerse.

JAMES GRANT of Fruquhy, with my hand.
ALEX^{R} DOLES of Cantray, wyth my hand on the pen, led be Schir Johne Scherer, vicare of Ardclach.

99. REMISSION by MARY QUEEN OF SCOTS to JOHN EARL OF SUTHERLAND and the inhabitants of the shires of Inverness, Nairn, and Cromartie, for absence from the host at St. Andrews. 18th December [1545].

REGINA.

WE, WITH auis, consent, and auctorite of oure derrast cousing and tutour, James erle of Arrane, lord Hamiltone etc., protectour and gouernour of our realme, to quhame it is vnderstanding that our cousing, Jhone earle of Sutherland and inhabitantis of our schirefdomes of Inuernes, Narne, and Cromartie, wer in our seruice, with our traist cousing and counsalour George erlle of Huntle, lord Gordone and Baidzenocht etc., in Lochabir, the tyme off our oist, raid, and army convenit in Sanct Androis, the day of laistbypast as for the quarter, for asseiging and recouering of the castell of Sanct Androis furtht of our rebellis handis, withhalderas thairof aganis our auctoritie, and thairthrowe mycht nocht keip the said querter: Thairfor, and for vtheris diuers ressonabill caussis and considerationis moving ws, be the tennour heirof haue ramittit, forgevin and dischairgeit, and be thir our letteris specialy

ramittis, forgewis and dischairgeis to our said cousing, Johne erll of Sutherland and the inhabitantis of our saidis schirefdomes of Inuernes, Narne and Cromartie, all actione or cryme quhilkis we or owr said gouernour had, hes, or ony wyis may haif or moyf aganis thame or ony of thame, for thair ramaning and byiding fro our said oist and raid, and army convenit in Sanct Androis the day aboune wrettin, to the affec forsaid: And will and grantis that thai nor naine of thame sall nocht incur ony danger or skayth thairthrowe in thair personis, landis, nor guidis, nor sall nocht be callit nor accusit thairfor, cryminaly nor ciuele, be ony manir of waye in tyme cuming, nochtwithstanding ony our actis, statutis, letteris, proclamationes, or chairgeis, generall or speciall, maid or to be maid in the contrair, and panis contenit thairin; anent the quhilkis we dispence with the saidis personis, and ilk ane of thame, be thir our letteris: Discharging heirfor all and syndry our iustices, thesaurer, iustice clerkis, and all wthiris our officiars, present and to cum, and thair deputtis, off all dyting, attecheing, arresting, calling, accusing, vnlaweing, proceding, punding, trubulling, or intrometting with our said cousing, Johne earll of Sutherland and the inhabitantis of our schirefdomes abone writtin, or ony of thame, thair landis, takis, or guidis, for thair ramaning and byiding fra our said oist and raid, and of thair offices in that part, be thir our letteris, foreuir: Gewin onder our signet, and subscriuit be our said gouernour, at Sanct Androis, the xviij day of December, and of our ryng the ferd zeir.

Hec est vera copia literarum supreme domine nostre Regine concessarum personis suprascriptis, collacionata per me, magistrum Jacobum Stienie, notarium publicum, nihil addendo aut minuendo quod substanciam rei mutare possit; teste manu propria.

Magister JACOBUS STEENIE, notarius publicus, manu propria.

100. BOND OF MAINTENANCE by GEORGE EARL OF HUNTLY to JAMES THE GRANT of Freuchie, and JOHN THE GRANT his son. 8th May 1546.

BE IT KEND tyll all men be thir present letteris, ws, George erll of Huntly, lord Gordoun and Badzenoch, etc. Forsamekle as honorable men and our weilbelouittis, James the Grant of Freuchy, and Johnn the Grant, his sone and apperand aire, has becuming our men and seruandis to ws, our airis and successouris, for certane landis we haue infeft thame in liffrent, within our lordschipe of Strathoune, togidder with the bailliorie of the samyn and keping of the hous of Drummyn for thair zeirlie feis, as in our charteir and letteris maid to thame thairupoun mair amply is contenit; and als ar bundin and oblist be thair speciale letteris of manrent and obligatouris, and thair kyne and seruandis, to tak our and our airis and our successouris, for all the dayis of thair life, anefald and plane part in all ouris and thair iust and lauchfull actionis aganis all deidly, thair allegiance to our souerane lady the Quenis

Grace, my lord gouernour, and the authorite of the Croun allanerlie exceptit, as at mair lenth is contenit in thair letteris obligatouris maid to ws thairupoun: Heirfore to be bundin and oblist, and be the tennour heirof byndis and oblissis ws, be the fayth and trewth in our body, lelely and trewly, our airis and successouris forsaid, to manteine and defend the saidis James the Grant and Johnn the Grant his sone, and the langest levar of thame, thair kyne, freyndis and seruandis, in all thair iust and leissum actionis, questionis, querrellis and debaittis, thair iust heretage, takkis, rowmes, and possessionis, aganis all deidly, our allegiance to our souerane lady the Quenis Grace, my lord gouernour, and the authorite of the Croun allanerly exceptit: In witnes of the quhilkis, to thir our letteris of manteinance, subscriuit with our hand, our seill is to hungin, at Elgin, the aucht day of Maii, the zeir of God ane thousand fife hundreth and fourty sex zeris; befoir thir witnes, ane noble and mychtie lord, Johnn erll of Sutherland, ane reuerend fader in God, Robert bischope of Orknay, Alexander Innes of that ilk, Johnne Lesly of Boquhane, Robert Innes of Inuermerky, William Sinclair of Dunbeith, and Alexander Cummyng of Alter, with vtheris diuers.

GEORGE ERLL OFF HUNTLY.

101. DISCHARGE by JAMES EARL OF ARRAN, Governor of Scotland, to JAMES GRANT of Freuchie, of the feu-maills of Urquhart and Glenmoristoun. 20th July 1546.

[Copy.]

GUBERNATOR.

AUDITOURIS of our chakker and comptroller, we grete zou hartly weyll: Forsamekle as it [is] humly menyt and notourly knawyne how the landis of Wrquhart and Glenmoristowne has beyne hereyt and brynt be the Clancammeron, Clanrannald, and Clanayane, quharthrow that our lowit James Grant of Fruquhie, fewar of the saiddis landis, has gottyn na proffit thairof sen the birnyng of the sammyne, quhilk was in the moneth of Maii was ane zere; quhare upoune the said James hes menyt him to ws: Our will is, and we charge zou, the said James makand guyd payment of all thingis bygane that he aw the Queynis Graice and ws in this present chakkere, that ze allow and discharge the said James the Graunt and his partinarris, fewarris of Wrquhard and Glenmoristoune, of thre termys maylis bygane afoyr the dayt heyrof, of the sammyne landis, quhilk we be the tenour heyrof dischargis and exonerys; kepand this precepe for zour warrand: Subscrivit wyth our hand, the xx day of Julii, the zere off God j^{m}v^{c}xlvj zeris. JAMES G.

GUBERNATOR.

William Ogilby, ze sall deliuer to Mathow Hammyltowne, our master houshald, the soume of tua hundreth thretteyne pund, in compleyt payment of the few malis of Glencarny off termys bygane; and the sam salbe allowyt to zou and zour master, James Graunt of Fruquhy, in

the chakkere comptis. Subscrivit with our hand, at Sterling, the xix day of Julii, the zere of God j^m v^c fourty six zeris. JAMES G.

102. TRANSUMPT, by authority of MUNGO MONYPENNY, Dean of Ross, at the instance of SIR ALEXANDER DUNBAR, prior of Pluscardyn, of a definitive sentence pronounced by DONALD, abbot of Ferne. 9th May 1548.

IN DEI nomine amen. Vniuersis et singulis presentes transsumpti literas seu presens publicum instrumentum, inspecturis, lecturis, visuris pariterque audituris, Kentigernus Monypenny, decanus Rossensis, ac, sede episcopali eiusdem vacante, vicarius generalis, salutem in Domino sempiternam : Noueritis nos ad instantiam et requisitionem venerabilis in Christo patris et domini, Alexandri Dunbar, permissione diuina prioris Vallis Sanctiandree de Pluscardyn, Morauiensis diocesis, et eiusdem monasterii conuentus ordinis Sancti Benedicti apud nos cogniti et approbati, omnes et singulos communiter vel diuisim sua interesse habentes seu habere putantes ad videndam et audiendam quamdam sententiam diffinitiuam, latam et pronunciatam per quondam venerabilem in Christo patrem et dominum, Donaldum, permissione diuina abbatem monasterii de Ferne, Praemonstratensis ordinis eiusdem Rossensis diocesis, iudicem a sede apostolica cause et partibus infrascriptis, vnacum decano et cancellario Rossensibus suis in hac parte collegis, cum clausula quatenus vos, tres, duo, aut vnus vestrum specialiter constituti, recognosci, copiari, exemplari, transsumi, et in publicam transsumpti formam ad perpetuam rei memoriam redigi, decretumque nostrum auctoritate ordinaria qua fungimur desuper interponi, per edicta publica in valuis dicte ecclesie cathedralis Rossensis affixa, vt moris est, peremptorie ad certum terminum competentem dictam horam et locum inferius designatum citari fecimus ; cum intimatione quod siue in eiusmodi citationis termino comparere curassent siue non, nos nihilominus ad dictam sententiam diffinitiuam transsumendi, copiandi, exemplandi et in publicam transsumpti formam ad perpetuam rei memoriam redigendi, prout justum foret, procederemus, ipsorum citatorum absentiis seu . . . pro tribunali seden. dictus dominus prior de Pluscardyn . . . edicta publica debite executioni demandata presentauit, citatorumque in eisdem contentorum et non comparentium contumatias accusauit, quos contumaces per nos reputari debita cum instancia postulauit, et in penam contumatiarum suarum dictam sententiam diffinitiuam, cuius tenor inferius inseritur, exhibuit, et judicialiter publice produxit : Post cuiusquidem sententie exhibitionem, nos, Kentigernus, decanus Rossensis, et, sede episcopali eiusdem vacante, vicarius generalis predictus, dictos citatos, vocatos, et non comparentes, contumaces reputauimus ; et in penam contumatiarum eorundem, predictam sententiam diffinitiuam ad manus nostras recepimus, vidimus, auscultauimus, palpauimus et diligenter inspeximus ; ac certos fide dignos ad numerum octo testium citatos, vocatos, comparentes, et juratos super recognitione sigilli dicti quondam domini abbatis, iudicis delegati predicti, et subscriptionis manualis et legalitatis

discreti viri domini Joannis Nicholsone, vicarii de Lagane, notarii publici, ac scribe cause et partibus infrascriptis, examinauimus: Quiquidem testes jurati et deligenter per nos examinati, recognouerunt sigillum eidem sententie appensum fuisse, et esse verum et justum sigillum dicti quondam abbatis, iudicis delegati predicti, necnon eandem sententiam esse subscriptam et manuali subscriptione prefati domini Joannis Nicholsone roboratam; et quod ipse dominus Joannes fuit et est habitus, tentus, et reputatus notarius publicus fidelis et legalis, honeste conuersationis ac bonorum nominis et fame: et quia post deligentem auscultationem, inspexionem, et examinationem eiusdem nostre sententie, eandem comperimus fore sanam et integram, non viciatam, non cancellatam, rasam seu oblitam, nec in aliqua sua parte suspectam, sed omni prorsus vicio et suspitione carentem, ad prefati domini prioris instantiam et requisitionem, predictam sententiam diffinitiuam, per discretum virum dominum Thomam Stephani, vicarium de Rosmarky, notarium publicum, et curie nostre consistorialis scribam principalem, transsumi, copiari et exemplari, ac in publicam transsumpti formam ad perpetuam rei memoriam redigi mandauimus et jussimus: Cuiusquidem sententie diffinitiue tenor sequitur et est talis:—VNIUERSIS et singulis sancte matris ecclesie filiis ad quorum notitias presentes litere peruenerint, Donaldus abbas permissione diuina de Ferne Rossensis diocesis, ordinis Premonstratensis, apostolice sedis delegatus, vnacum decano et cancellario Rossensibus nostris in hac parte collegis, cum clausula quatenus vos, tres, duo aut vnus vestrum, cause et partibus infrascriptis specialiter constituti, salutem, in omnium Saluatore: Nouerit vniuersitas vestra, nos in quadam causa appellationis per venerabilem in Christo patrem et dominum, Alexandrum permissione diuina priorem Vallis Sanctiandree de Pluscardyn, et eius loci conuentum, ordinis Sancti Benedicti, Morauiensis diocesis, appellantes, ex vna, et reuerendum in Christo patrem et dominum, Alexandrum miseratione diuina Morauiensem episcopum, monasteriorumque de Scona et Insula Missarum commendatarium perpetuum, et discretum virum Magistrum Thomam Gaderar, vicarium de Narn, eius commissarium generalem Morauiensem appellatos partibus ab altera, coram nobis judicialiter ventilata et vsque ad sententie diffinitiue prolationem in eadem exclusiue, rite, et canonice deducta ad instantiam dicti domini prioris, sententiam nostram diffinitiuam die et loco inferius designatis in scriptis tulisse et pronuntiasse in hec verba:—CHRISTI nomine inuocato, nos Donaldus permissione diuina abbas monasterii de Ferne, Premonstratensis ordinis, diocesis Rossensis, iudex delegatus cause et partibus infrascriptis, vnacum decano et cancellario Rossensibus, nostris in hac parte collegis specialiter constitutis, cum clausula quatenus vos, tres, duo, aut vnus vestrum, sedens pro tribunali in causa appellationis per venerabilem in Christo patrem et dominum, Alexandrum permissione diuina priorem Vallis Sanctiandree de Pluscardin, eiusque loci conuentum regule Sancti Benedicti Morauiensis diocesis appellantes ex vna, contra et aduersus reuerendum in Christo patrem et dominum, Alexandrum miseratione diuina Morauiensem episcopum, et magistrum Thomam Gaderar, suum commissarium generalem Morauiensem, appellatos reos partibus ab altera,

coram nobis judicialiter ventilatam cognoscentes, partium petitionibus, iuribus, rationibus, ceterisque dicte cause meritis coram nobis propositis et exhibitis, per nos visis, rimatis, deductis et discussis, juris consultorum communicato consilio et sequuto, quibus fidelem fieri fecimus relationem in eadem, solum Deum pre oculis habentes eiusque nomine sanctissimo primitus inuocato, per hanc nostram sententiam diffinitiuam quam ferimus in hiis scriptis, pronunciamus, decernimus et declaramus dictos reuerendum patrem et dominum Alexandrum Morauiensem episcopum, et magistrum Thomam Gaderar, eius commissarium antedictum, suas pretensas literas monitoriales simplices sine cause cognitione, contra ipsos appellantes non conuictos aut confessos respectiue super summa trecentarum et quinquaginta mercarum monete Scotie fulminatas, male nulliter et inique fulminasse, ac in earum fulminatione ipsos appellantes et libellantes lesisse et aggrauasse, eosdemque appellantes ab huiusmodi pretensis literis et omnibus inde secutis bene et iuste appellasse: Ac preterea eiusmodi pretensas literas suspendendas fore et suspendi debere, prout per hanc nostram sententiam suspendimus; ipsosque appellantes et libellantes a censuris suspensionis, excommunicationis et aliarum censurarum penis, quas vigore eiusmodi literarum incurrebant, simpliciter absoluendos fore et absolui deberi, prout tenore sententie nostre diffinitiue absoluimus; ipsosque priorem et conuentum exemptos fore et eximi deberi a dicto reuerendo patre Alexandro Morauiensi episcopo et eius successoribus, et ab omni ordinaria iurisdictione Morauiensi, racione priuilegiorum et indultorum diuersorum apostolicorum dicto domino priori et suo monasterio per diuersos Romanos pontifices concessorum; vltioremque cause cognitionem inposterum in huiusmodi causa appellationis nobis reseruantes; dictosque reuerendum patrem et magistrum Thomam in expensis litis condampnandos fore et condampnari deberi, prout condampnamus, quarum expensarum taxationem nobis inposterum reseruamus: Lecta, lata, et pronuntiata fuit hec nostra sententia diffinitiua in ecclesia monasterii nostri de Ferne, vigesimo septimo die mensis Martii, anno Domini millesimo quingentesimo trecesimo sexto; presentibus honorabilibus viris, Willelmo M^{c}Cullo de Plaidis, Alexandro M^{c}Cullo, Waltero M^{c}Cullo, et domino Waltero Fudes, notario publico. Sequitur tenor subscriptionis domini Joannis Nicholsone, notarii publici et scribe in causa appellationis predicta:—Et ego Joannes Nicholsone, presbyter Rossensis diocesis, publica apostolica auctoritate notarius, quia suprascripte sententie diffinitiue prolationi, pronunciationi suprascriptis, sigilli appensioni ceterisque premissis, dum sic ut premittitur dicerentur, agerentur et fierent, vnacum prenominatis testibus presens interfui, atque ea omnia et singula sic fieri vidi, sciui et audiui, ac in notam cepi; ideoque hoc presens publicum instrumentum mea manu fideliter scriptum exinde confeci, et in hanc publicam formam instrumentalem redegi; signo, nomine et subscriptione meis solitis et consuetis signaui et subscripsi, in fidem et robur omnium et singulorum premissorum rogatus et requisitus. Post que omnia et singula supradicta, nos Kentigernus Monypenny, decanus Rossensis, ac sede episcopali eiusdem vacante, vicarius generalis antedictus, presens trans-

sumptum sententie diffinitiue predicte, cum dicta sententia originali deligenter ascultari, examinari, et collationari fecimus, et post deligentem ascultationem, examinationem et collationem huiusmodi, comperimus presens transsumptum cum dicta sententia diffinitiua originali in omnibus et per omnia concordare et in nullo discrepare: Idcirco ad instanciam dicti domini prioris, auctoritate ordinaria qua fungimur in hac parte, decreuimus et tenore presentium decernimus quod presenti transsumpto detur et adhibeatur de cetero plena fides in iudicio et extra vbique locorum, ac talis et tanta qualis et quanta ipse sententie diffinitiue originali data fuerit et adhibita, daretur et adhiberetur, si in medium in ipsius originali forma produceretur: In quorum omnium et singulorum fidem et testimonium premissorum, presentes literas siue presens transsumptum per dicte nostre curie scribam notarium publicum de mandato nostro speciali desuper publicatas sigilli nostri officii iussimus et fecimus appensioni communiri, vnacum signo et subscriptione manuali dicti nostri scribe curie nostre principalis. Data et acta fuerunt hec in ecclesia cathedrali Rossensi, loco videlicet sessionis nostre ad iudicia reddenda, die nono mensis Maii, anno Domini millesimo quingentesimo quadragesimo octauo, indictione sexta, pontificatus sanctissimi in Christo patris et domini, domini Pauli pape tertii anno decimo quarto; presentibus ibidem venerabilibus et discretis viris, magistris et dominis Duncano Chalmer, cancellario Rossensi, Henrico Forres, canonico Rossensi, dominis Donaldo Scherar, Alexandro Pedder, Thoma Chernsyde, capellanis, et Joanne Denvne de Dauidstoun, et Alexandro Denvne, filio dicti Joannis, cum diuersis aliis.

Et ego Thomas Stephani, presbyter Rossensis diocesis, sacra apostolica auctoritate notarius, quia [*etc., in forma communi*].

103. Contract between James of Grant of Freuchie and Ewen Cameron of Lochiel. 10th October 1548.

At Conwent, the tent day of Octobar, in the zeir of God ane thousand fife hundreth fourty and viij zeris, it is appunctuat, concordit, and fynaly aggreit, betuxe honorabill men James Graunt of Fruquhy on that tain pairt, and Ewin Cammerone of Lochild on that todyr pairt, in manyr, forme and effect as eftyr followis: That is to saye, forsayemekill as the said Ewin and his complicis hes doin innormiteis and misrewillis to the said James' landis and rowmis of Wrquhart, for the quhilk he hes comprisit be prorsus of law, certane landis pertenyng the said Ewin; nochtwithstanding, for singular fauouris and lufferand that the said James hes anent the said Ewin, the said James is content that the haill profittis and dewitteis quhatsumeuyr pertenyng the saidis landis be in pand to the said Ewin, in all tymis cuming, induring the saidis Ewinnis guid hawingis and ane fald kyndnes in tymis to cum, to the said James: And attouyr, the said James is bundyne and oblist, that he sal noder analye nay away put the said landis, nor na pairt of tham, fra the said Ewin, bot be the auis and consideracione of

Johne M^cKennych of Kintail, Kennych M^cKennych, his son and apperand ayr, Johne Grant of Mulben, son and apperand ayr to the said James, Johne Grant of Culcabok, and oderis the saidis James weill auisit frindis,—the said Ewin kepand trewly his kyndnes and fidelite, as said is, to the said James and his airis, and in speciale, anent the landis and rowmis of Wrquhart and Glenmoriston: Mayratour, the said Ewin bindis and oblessis hyme, and al that will do for hyme, to tak ane afald pairt with the said James, in al maner of actionis or materis concernyng hyme, aganis al mortalis, the Quenis Grace and hir authorite, my Lord Erle of Huntle, and William M^cKinthosych band maid laitle to hyme alanerly exceptit: And the said James in lik wyis is bundyne and oblist to tak ane afald pairt with the said Ewin and his kyne, dependaris on hyme, to his powar, in al thingis pertenyng hyme, aganis al maner of man, the Quenis Grace hir authorite, my Lord Erle of Huntle, his airis, and William M^cKinthosych band now laitle maid to hyme be the said James alanerly exceptit: And for obserwing and keping of all and syndry thir premissis, atheris the said James and Ewin ar s[w]orne and oblist, the haly ewangelist tuchit, be fayth and treuth in thair bodeis, to stand ferme and stabill in perpetuale kindnes, ondyr the pain of infamite, mensuering and inhabilite, gif ony of tham, as God forbeid, resultis fra the samyn; and hes subscriuit this conthrak, to be put in forme of instrument, at Conwent, day, zeir and place forsaid, befor thir witnes Johne M^cKennych of Kintail, Kennych M^cKennych of Brawan, Alexander M^cKennych of Farbirt, Murky M^cKennych, Johne Graunt of Culcabok, Schir Duncane M^cArthour, Sorle M^cMartyne, Johne M^cAlister Dow, and Maister James Farquharsone notar publice, with oderis diuerse: And gif this indentour and conthrak be nocht sufficiently and in dew forme maid, than it salbe lesum to mak the samyn in mayr ample forme, as men of law can deuis.

JAMES GRANT of Fruquhy, with my hand.

EWIN CAMMERONE of Lochild, with my hand led at the pen be Maister James Farquharsone, notar publice.

104. BOND OF MAINTENANCE by JAMES GRANT of Freuchie to JOHN GRANT of Ballindalloch. 1st May 1551.

BE IT KEND [till] all men be thir presentis letteris, me, James Graunt of Fruquhy, to be bundin and oblist, and be the fayth and treuth in my body bindis and oblesses me, that, forsaye-mekill as my cusing and kynnisman, Johne Graunt of Balnadawlach, with his frindis, serwandis, alya, part-takkaris, assisterris, and thai that one hyme dependis, is becummyne man and serwand to me, for al the dais and termes of his lif, the Kingis Grace allanerly excepit, and seruis aucht of law to his hienes, lyk as his band of manrent quhilk suld be maid to me, conforme to hys conthrak, suld proport at mayr lynth: For the quhilk caus beand doin, I, the said James Graunt, bindis and oblessis me that I sal manteyne, . . . supple, and defend the said Johne, his frindis, alya, serwandis, assisterris, part-takkaris and thai that

one hyme dependis, in al and syndry lesum accionis, querellis or debaittis that the said Johne, his frindis, alya, assisterris, part-takkaris, and thai that one hyme dependis, has or sal haue in tyme to cum ado, als far as auch to defend his kynnisman and serwand, and as I sal defend the laif of my kynnismen, in ony just accione or accione[s] thai haue ado: And for the faythfull [obseruing] and keping of this my band of manteinans, I haue affixit my proper seill, togiddyr with my subscripcione manuale, at Fruquhy, the first day of Maii, in the zeir of God ane thowsand v^{c} fifty ane zeir, befor thir witnes, Thomas Narne of Cromdall, Maister Johne Berclaye, Alexander Stewart, sone and apperand ayr to Maister William Stewart of Ardbrok, William Ogilwy of Alanebowe, and Maister James Farquharsone notar publice, with oderris diuers. JAMES GRANT of Fruquhy, with my hand.

105. CONTRACT between JAMES GRANT of Freuchie and FINLAY PATERSON, relative to the debatable lands of Dallagrammych. 22d June 1551.

AT INUERNES, the xxii day of Junii, in the zeir of God j^{m}v^{c} fyfty and ane zeiris, it is compromittit, appunctuat, aggreit, and finalie endit betuix ane honorabill man, James the Grant of Fruchwe, on that ane part, and Finlay Patersone, sowne and ayr of vmquhill Wilzem Patersone, burgis of Inuernes, Janet Kar, his moder, and tutrix to the said Finlay, and Farquhar M^{c}Conquhy of Dunmaglas, hir spous, for his entres, on the vther part, in maner, forme, and effect, as eftir follows: That is to say, forsamekill as the landis of Dollagrammych ar debaittabill betuix the said James and the said Finlay, in the quhilkis the said vmquhill Wilzem Patersone, father to the said Finlay, decesit last vest and sesit, nochtwithstanding the said Janet Kar, tutrix to the said Finlay, with the consent of hir foirsaid spous, haifand inspectione and consideratione to his proffit and vtilite, and for syndry vther caussis mowand thair myndis thairto, and for extinctione and downe puttin of all debaittis amangis athir of the foirsaidis parteis, willis and contractis that the saidis landis of Dollagrammych be browkit and iosit be the said James, his ayris and assignais, in all tymis cuming, but ony reuocatione or gainecalling of the said Finlay, or ony vtheris in his naime, quhom it efferis: Prouiding allwayis that the said James, his airis or assignais, infeft and seis the said Finlay in all and haill the landis of Mydbowne Leneth, lyand within the lordschipe of Vrquhart and schireffdlowme off Inuernes, apon sic clausis and conditiones as the said Finlays reuersione to be maid vpoun the foirsaid landis sall proport; the said James acquhittand and dischargeand the said Finlais ward and releif of the foirnamit landis of Dollagrammich, quhilk he hes of our souerane lady the Quhen, and reserwand the said Finlais mariage to the said James, his ayris and assignais: And supponing the said Finlais minorite and lesage, the said Fynlay, with the avise and consultatione of his said tutrix, hes renuncit the benifite and preuilage thairof, with all vther exceptionis and judiciall process of law, ciuiell or canone: And for obseruing, fulfilling, and keipin of all and syndry the premissis and punctis abowne

wrytting, athir of the said parteis hes subscriuit this present contract,—the said James with his awin hand, and the saiddis Finlay, Janet his tutrix, and Farquhar, for his entres, with thair handis led at the pen be Schir Patrik Anderson, notar publict; and in lykwayis, ather of the saidis parteis ar content that this present contract be insert and registrat in the commissariis bukis of Inuernes, haifand the strenth and effect of ane act, and to be monest for fulfilling of all and syndry the presentis as abowne wrytting, vnder the panis of cursing and infamite; renunciand thair awin iurisdictione in that caiss, and submittand thame to the iurisdictione foirsaid, day, zeir, and place foirsaidis, befor thir witnes, James Dempster, Henry Kar, Johne the Grant, burgis of Inuernis, and Maister James Farquharson, notar publict, with vtheris diuers.

JAMES GRANT of Fruquhy, with my hand.

I, FARQUHAR MCCONQUHY of Dunmagles, with my hand at the pen, led be Schir Patrik Anderson, notar foirsaid.

I, JANET KAR, moder and tutrix to the said Finlay, with my hand at the pen, led be Schir Patrik Anderson, notar foirsaid.

Ita est, dominus Patricius Anderson, notarius, qui ut supra, nomine et mandato dictorum Farquhardi et Janete, scribere nescientium, eorum pennam tangentibus manibus, subscripsi, etc., teste manu propria. Patricius Anderson, notarius publicus.

I, JAMES DEMPSTER, with my hand at the pen, led be Schir Patrik Anderson.

I, HENRY KAR, with my hand at the pen, led be Schir Patrik Anderson, notar publict.

106. REMISSION by JAMES EARL OF ARRAN, Governor of Scotland, to JAMES DUNBAR of Tarvett and others, for intercommuning with NORMAN LESLIE. 12th February 1551.

GUBERNATOR.

WE VNDIRSTANDING that our louittis James Dunbar of Tarvett, Robert Dunbar of Durris, and Alexander Vrquhard of Burriszairdis, being callit befoir the iustice and his deputis to vndirly the law for the tressonable intercommonyng with Normane Leslie, come in our will thairfoir as ane act of adiornale maid thairupone beris, and wer ordinit to be wairdit in the castell of Dumbertane quhill our will wes declarit thairin; quhilk waird wes changit to the burgh of Edinburgh, quhairin thai haif remanit this langtyme bygane: Quhilk will we, for diuers caussis and considderationes moving ws, haif remittit and forgevin, and be the tennour [heirof] remittis and forgevis to the saidis persones, and dischargis thame thairof for euir; and grantis and gevis licence to thame to pas and repas within quhatsumeuir boundis of the realme of Scotland thai pleis; and will and grantis that thai nor nane of thame salbe callit nor accusit as brekaris of the waird forsaid, nor incur ony skaith or danger thairthrow in

thair personis, landis or gudis in ony wys in tyme cuming, nochtwithstanding that thai wer chargit to remane in waird, as said is, or ony actis maid or to be maid in the contrare. Subscriuit with our hand, at Edinburgh, the xij day of Februare, the zeir of God j^{m}v^{c} fyftye ane zeris. JAMES G. gratis JOANNES the^{us}.

107. REMISSION by MARY QUEEN OF SCOTS in favour of JAMES GRANT of Mulben. 9th July 1552.

MARIA Dei gracia Regina Scotorum, omnibus probis hominibus suis ad quos presentes litere peruenerint, salutem: Sciatis quia ex nostra gracia speciali, cum auisamento et consensu charissimi nostri consanguinei et tutoris, Jacobi ducis de Chattellarault, Aranie comitis, domini Hammiltoun, regni nostri protectoris et gubernatoris, remisimus Johanni Grant de Mulben, latori presentium, rancorem animi nostri, sectam reginalem, et omnem actionem, quem et quas erga ipsum concepimus, habemus, seu quouismodo in futurum habere poterimus, pro ipsius proditoria veniencia in comitiua cum Matheo olim comite de Levinax, bello preparato et vexillo distento contra prefatum nostrum tutorem et gubernatorem, super mora de Glasgw, in mense Maii anno Domini millesimo quingentesimo quadragesimo quarto, prefato nostro gubernatore ibidem in propria persona presente; et pro omnibus actione et crimine que ei inde quouismodo imputari poterunt; necnon pro omnibus actionibus, transgressionibus, criminibus, proditionibus et offensis quibuscunque, per dictum Johannem, vllis temporibus elapsis ante diem date presencium commissis, seu quomodolibet perpetratis, proditoria tradicione in nostram propriam personam reginalem dumtaxat excepta; dummodo dictus Johannes partibus conquerentibus et dampna passis taliter satisfaciat quod nullam super hoc de cetero iustam querimoniam audiamus: Et supradictum Johannem, sub firma pace et protectione nostra iuste suscipientes, firmiter inhibemus ne quis ei occasione dicte venientie aut aliarum actionum, transgressionum, criminum, prodicionum et offensarum predictarum, malum, molestiam, iniuriam, seu grauamen aliquod inferre presumat iniuste, super nostram plenariam forisfacturam, aut mortem ei inferat, sub pena amissionis vite et membrorum: In cuius rei testimonium, has literas nostras remissionis, pro toto tempore vite dicti Johannis duraturas, sub nostro magno sigillo, sibi fieri fecimus patentes; apud Abirdene, nono die mensis Julii, anno Domini millesimo quingentesimo quinquagesimo secundo, et regni nostri decimo.

108. CONTRACT for the marriage of JANET, daughter of JAMES GRANT of Freuchie, and ALEXANDER SUTHERLAND of Duffus. 26th January 1552.

AT STRATHYLAYE, the xxvj daye of Januar, the zeir of God ane thousand fywe hundreth fyftye tua zeris, it is finallie appointit, concordit and agreit betuix honorabill personis, that is to saye, James Grant of Fruquhye, for him selff and Jonet Grant his dochter, on the ane part, and Alexander Suderland of Duffous, on that vthir part, in maner, forme and effect as

eftir followis: That is to saye, that the said Alexander sall, God willing, marie and haue to wyffe the said Jonet, and sall solemnizat the band of matrimonye in face of halie kirk with hir, in all gudelie haest, and sall giff hir and to the aris to be gottin betuix thame, and faelzeing thairoff, to the said Alexander aris quhatsumevir, in coniunctfee, tua hundreth merkis land, giffand in all dewitie tua hundreth merkis be zeir, of his landis of the barony of Duffous; and faelzeing that he haue nocht samekill within the said barony, to giff the laeff of his landis in Suthirland, extending to the said sowm; providing quhowsone that he relevis onye landis in Duffous that is wedsett, he sall giff the samyn to the said Jonet quhill he mak hir the haell tua hundreth merkis within Duffous: And giff God callis the Lard Duffous moder that scho die afoir the said Jonett, scho sall tak the landis of Ludgett and Querrellwoid and vtheris landis that scho hes presentlie for hir coniunct fee, thai beand mare of valiour of tua hundreth merkis; and sall giff our the saiddis landis of Duffous and vtheris landis that scho gettis presentlie in coniunct fee; and giff thair hapynnis onye caus of diuorce to be movit be the said Alexander aganis the said Jonet, he salbe halden to raes dispensationis vpon his expenssis, and sall vse the samyn als oft as mister beis, albeit thair be na impediment knawin be the saiddis parteis nor thair freindis, bot at thai maye lauchfullie marie at this tyme: For the quhilk mareage and coniunctfee, the said James Grant bindis and oblesis him, his aris and assignais, to releve and keip skaythles the said Alexander, his aris and assignais, of the singill or dowbill awaell of the said Alexander mareage at the handis of Elezabeth Campbell, dochter to vmquhill Schir Johne Campbell of Caldor, knycht, allegit assignaye to the said Alexander mareage, and all vtheris quhom it efferis; and sall content and paye to the said Alexander, atour the said releve, the sowm of thre hundreth merkis vsuall mone of Scotland, for the redemption of his landis of Duffous at the said Jonet suld be put in coniunctfie of; and attour, salbe gude and thankfull to the said Alexander in all his effaris as the gude fadir suld do to the sone. In vitnes of the quhilk baythe the saidis parteis for fulfilling, obseruing and keiping heiroff, hes bondin and oblesit thame, thair aris, executoris and assignais, to vtheris, but fraude or gyle; and is contentit this contract be insert in the officiallis bukis of Murraye, and thai to be actit, vnder the panis of cursing, to obserue the samyn, hes subscrivit this contract, zeir, daye, and place forsaed, befoir thir vitnes, ane reuerend fader in God, Robert bischope of Orknaye, honorabill men, Alexander Cuming of Alter, James Murray of Culbardye, W^m^ Ogiluye, and Master Petir Galbrath, notar publict, with vtheris diuers. Sic subscribitur,

JAMES GRANT of Frewquhye.

ALEXANDER SUDERLAND of Duffous.

Actum apud Knocandoch, vicesimo sexto Februarii, anno Domini millesimo quingentesimo quinquagesimo secundo.

Quo die moniti sunt voluntarie ex eorum propriis confessionibus, honorabiles viri, Jacobus Grant de Fruquhye et Alexander Suderland de Duffous, obligando se, suos heredes, executores

et assignatos, ad perimplendum et obseruandum omnes et singulos punctus et articulos suprascripti contractus, in omnibus et per omnia, inquantum eos et eorum quemlibet concernit et concernunt, sub pena excommunicationis maioris, cum emanacione literarum et processuum desuper.

Hec est vera copia principalis contractus initi et confecti inter prefatas partes, in libris curie consistorialis Morauiensis registrati, et de eisdem extracti per me, dominum Johannem Gibsone, notarium publicum, scribam dicte curie, nil addendo nec minuendo quod facti seu rei substanciam mutat seu variat intellectum, sed cum originali in omnibus concordans, teste mea subscriptione manuali.

Ita est, Johannes Gibsone, notarius publicus, ac scriba curie consistorialis Morauiensis, manu propria.

109. Inventory and Testament of James Grant of Freuchie. 1st June 1553.

[Contemporary copy.]

Inuentarium omnium bonorum quondam honorabilis viri, Jacobi Grant de Frewchquhye, factum per eum in loco suo de Ballacastell, primo die mensis Junii, anno Domini millesimo quingentesimo quinquagesimo tertio; coram hiis testibus, Duncano Grant in Gartht, Patricio Grant in Glenbeig, Willelmo Williamsoun in Dergy, et Magistro Jacobo Farquharsoun.

Item, fatetur se habere in auenis seminatis in manerio suo de Ballacastell, vj^{xx}xiiij bollas, estimatas ad tertium granum, precium bolle cum pabulo vj s. viij d.; summa, centum et xxxiiij librarum. Item, fatetur se habere seminatas ibidem xx bollas ordei estimatas ad quartum granum, precium bolle cum pabulo x s.; summa, xl lib. Item, fatetur se habere ibidem xxiiij boues arrabiles, precium pecie xl s.; summa, lx lib. Item, xlviij magnas vaccas, precium pecie xl s.; summa, xlviij lib. Item, duodecim animalia iuniora, quedam eorundem duorum annorum et quedam trium annorum, precium pecie xvj s.; summa, ix lib. xij s. Item, decem vetulas vnius anni, precium pecie viij s.; summa, iiij lib. Item, fatetur se habere ibidem v^{c} et xx oues, ex illis xl oues matrices, precium pecie vj s. viij d., et relique earundem oues steriles, precium pecie vj s.; summa omnium, xxxiij lib. vj s. viij d. Item, quatuor equos operarios ibidem, precium omnium xx lib. Item, fatetur se habere in Knokkendoche vj^{xx} bollas auenarum seminatas, estimatas ad tertium granum, precium bolle cum pabulo vt supra; summa, vj^{xx} lib. Item, seminatas ibidem xvj bollas ordei, estimatas ad quartum granum, precium bolle cum pabulo vt supra; summa, xxxij lib. Item, xvj boues arrabiles ibidem, precium pecie vt supra; summa, xl lib. Item, xxvj magnas vaccas, precium pecie vt supra; summa, lij lib.: octo iuniora animalia duorum et trium annorum, precium pecie vt supra;

summa, vj lib. viij s. Item, sex vetulas vnius anni, precium pecie vt supra; summa, xlviij s. Item, duos equos operarios ibidem, precium eorundem viij lib. Item, lxxx oues ibidem, precium pecie vt supra; summa, xx lib. Item, fatetur se habere in Mulachard viij^{xx} bollas auenarum seminatas, estimatas ad tertium granum, precium bolle cum pabulo vt supra; summa, viij^{xx} lib. Item, ibidem seminatas xx bollas ordei estimatas ad quartum granum, precium bolle cum pabulo vt supra; summa, xl lib. Item, xxvj boues arrabiles ibidem, precium pecie vt supra; summa, lxv lib. Item, quatuordecim magnas vaccas, precium pecie vt supra; summa, xxviij lib. Item, nouem animalia iuniora duorum et trium annorum, precium pecie vt supra; summa, ix lib. iiij s. Item, vj vetulas vnius anni, precium pecie vt supra; summa, xlviij s. Item, quatuor equos operarios, precium pecie vt supra; summa, xx lib. Item, ibidem lxxx oues, precium pecie v s.; summa, xx lib. Item, fatetur se habere in Garthynmoir in auenis seminatis v^{xx}vj bollas aittis, estimatas ad tertium granum, precium bolle cum pabulo vt supra; summa, centum librarum. Item, xij bollas ordei estimatas ad quartum granum, precium bolle cum pabulo vt supra; summa, xxiiij lib. Item, ibidem xviij boues arrabiles, precium pecie vt supra; summa, xlv lib. Item, ibidem xxiiij magnas vaccas, precium pecie vt supra; summa, xlviij lib. Item, octo iuniora animalia duorum et trium annorum, precium pecie vt supra; summa, vj lib. viij s. Item, quinque vetulas vnius anni, precium pecie vt supra; summa, xl s. Item, sexaginta oues, precium pecie v s.; summa, xv lib. Item, ibidem duos equos operarios, precium amborum viij lib. Item, fatetur se habere in Kylsanctriniane in auenis seminatis iiij^{xx} bollas auenarum, estimatas ad tertium granum, precium bolle cum pabulo vt supra; summa, iiij^{xx} lib. Item, seminatas ibidem octo bollas cum dimedia bolle ordei, estimatas ad quartum granum, precium bolle cum pabulo vt supra; summa, xvj lib. Item, ibidem boues arrabiles, precium pecie vt supra; summa, xl lib. Item, xx magnas vaccas ibidem, precium pecie vt supra; summa, xl lib. Item, octo iuniora animalia duorum et trium annorum, precium pecie vt supra; summa, vj lib. viij s. Item, v vetulos ibidem vnius anni, precium pecie vt supra; summa, xl s. Item, in equis indomitis, videlicet, vyld meris, sexaginta quatuor cum octodecim eorundem sequelis, precium pecie cuiuslibet senioris iij lib. vj s. viij d.; summa, ij^{c}xiij lib. vj s. viij d.; et precium cuiuslibet sequele xxx s.; summa, xxvij lib. Item in vtinsilibus et domiciliis, demptis hereditariis, ad valorem ij^{c} lib.

Summa omnium bonorum, xix^{c}lxiiij lib. ix s. iiij d.

Debita que debentur sibi.

In primis per Dingwaill de Kyldone, iij^{c}xxxiiij lib. vj s. viij d.

Summa omnium bonorum cum debitis sibi debentibus, xxij^{c}xvij lib. xvi s.

Debita que debet aliis.

In primis, Suthirland de Duffus, j^{m} lib. Item, Alexandro Dollace de Cantray, ij^{c} lib. Item, sue sorori Christine Grant, iij^{c}xxxiij lib. vj s. viij d. Item. Magistro Jacobo Gordoun, cancellario Morauiensi, viij^{xx}vij lib. vj s. viij d. Item, Alexandro Cuming

de Ernsyid, j^{c} lib. Item, Willelmo Dwnbrek de Vrtane, j^{c} lib. Item, Magistro Willelmo Stewart de Arbrak, ij^{c} lib. Item, Joanni Grant in Kyndoche, xl lib.

Summa bonorum omnium debitis extractis, ij^{m}j^{c} lib. xiij s. iiij d.

Diuidenda in tres partes.

Et sic remanet vnicuique trium partium, xxxvj lib. ix s. vj d.

Cum nihil sit certius morte aut incertius hora mortis, inquit, quod ego Jacobus Grant de Frewchquhy, eger corpore, sanus tamen mente, meum testamentum et vltimam voluntatem mature auisatus condam in hunc modum qui sequitur. In primis, do et lego animam meam Deo omnipotenti, corpusque meum honorabile sepeliendum in ecclesia mea parrochiali de Dovthaell sic et adeo honeste vt debet, ad discretionem mei executoris infrascripti. Item. facio et constituo Johannem Grant, meum apparentem heredem, meum executorem vnicum et bonorum intromissorem ad disponendum pro salute anime mee mea bona, prout sibi expediens exponere visum erit, vt voluerit respondere coram summo iudice, etc.

110. Confirmed Inventory and Testament of James Grant of Freuchie, dated 22d August 1553.

Inuentarium omnium bonorum honorabilis quondam viri Jacobi Graunt de Frwquhy, factam per semet ipsum in castro suo de Fruquhy, vigesimo secundo die mensis Augusti, anno Domini millesimo quingentesimo quinquagesimo tercio, coram hiis testibus, Duncano Graunt in Garthrinbeg, Patricio Mackfinlay in Glenbeg, Fynlao Williamsone, Johanne M^{c}Fail alias Graunt, Willelmo Gow cum diuersis aliis.

In primis, fatetur se habere centum vndecim boues arabiles, precium pecie . xl s.
Item, nonaginta duas vaccas, precium pecie . . . . . xl s.
Item, quinquaginta quattuor buculos, precium pecie . . . xiij s. iiij d.
Item, centum equos et equas siluestres, precium pecie . . . . xl s.
Item, octo equos laboriosos, precium pecie . . . . . xl s.
Item, iiij^{c}lxv oues matrices cum agnis, precium pecie . . . . iiij s.
Item, in victualibus et granis annorum domini millesimi quinquagesimi secundi et quinquagesimi tercii mille tricentas quinquaginta bollas victualium, precium bolle . . . . . x s.
Item, in vtensilibus et domiciliis, centum libras.

Debita que sibi debentur.

Item, debentes sibi per tenentes suarum terrarum firmarum et decimarum, quincentas mercas.

Summa omnium bonorum cum debitis sibi debentibus, . . . ij^{m}v^{c}ij lib.

Debita que debentur aliis.

In primis, domino de Duffus, pro dote sua, . . . viij^{c}lxxvj $^{lib.}$ xiij $^{s.}$ iiij $^{d.}$
Item, domino de Altyr, pro dote sua, ... ij^{c}lxvj $^{lib.}$ xiij $^{s.}$ iiij $^{d.}$
Item, baroni de Kyncardyne, pro dote, ... vi^{xx}xiij $^{lib.}$ vj $^{s.}$ viij $^{d.}$
Item, baroni de Wrtane, ... vij^{xx} $^{lib.}$
Item, Alexandro Dolas de Cantray, ... vi^{c}lxvj $^{lib.}$ xiij $^{s.}$ iiij $^{d.}$
Item, to the Quenis comptrollar, ... vij^{xx}iiij $^{lib.}$
Item, domino Joanni Andersone in Kinlos, . . . iiij^{xx}vj $^{lib.}$ vij $^{s.}$ iiij $^{d.}$
Item, magistro Willelmo Gordoune rectori de Douthall, . . xxiiij $^{lib.}$ vj $^{s.}$ viij $^{d.}$
Item, Adamo Blakwod in Perth, ... iiij^{xx} $^{lib.}$
Item, Jacobo Hammilthowne, ... xxx $^{lib.}$
Item, relicte magistri Adami Othirburne, ... xxij $^{lib.}$
Item, thesaurario supreme domine nostre Regine pro itinere iusticiario, lxxiij $^{lib.}$ vj $^{s.}$ viij $^{d.}$
Item, vicario de Cromdall, ... xxx $^{lib.}$
Item, Jacobo Innes de Drany, ... x $^{lib.}$ xiij $^{s.}$ iiij $^{d.}$
Item, magistris Dauid Brothik et Joanni Abercrommi, . . xxvj $^{lib.}$ xiij $^{s.}$ iiij $^{d.}$
Item, Willelmo Ogiluy, ... xlj $^{lib.}$ xiij $^{s.}$ iiij $^{d.}$
Item, Duncano M^{c}Gillespik, ... xx $^{lib.}$
Item, in feodis seruitorum, ... lx $^{lib.}$
Item, domino Joanni Gibsone, ... xx $^{lib.}$
Item, domino Thome Brabnar, ... v $^{lib.}$ vj $^{s.}$ viij $^{d.}$
Item, rectori de Kyncardyne, ... ix $^{lib.}$ vj $^{s.}$ viij $^{d.}$
Item, vicecomiti Morauiensi, ... lliij $^{lib.}$
Item, vicecomiti de Narne, ... iij $^{lib.}$
Item, Can[on]ico Donaldsone, ... xl $^{lib.}$
Item, reuerendo domino Patricio episcopo Morauiensi nonaginta sex mercas.

Summa debitorum ij^{m}viij^{c}liiij $^{lib.}$ et sic debita excedunt bona iij^{c}lij $^{lib.}$

Legacia.

In primis, do et lego animam meam Deo omnipotenti, ac beate Marie Virgini, et omnibus sanctis, corpusque sepeliendum fore in ecclesia de Douthall. Item, do et lego dispositionem omnium bonorum meorum et solutionem debitorum Joanni Graunt meo filio ac heredi, quem constituo meum vnicum executorem ac bonorum intromissorem, vt ipse agat pro anima mea prout wlt respondere coram summo iudice in die iudicii.

Ita est, magister Jacobus Farquharsone, curatus de Cromdall ac notarius publicus, in premissis requisitus, manu propria.

Nos, Patricius episcopus Morauiensis, commendatariusque perpetuus monasterii de Scona, hoc presens testamentum in quantum rite et legittime factum confirmamus, ratifi-

camus, et approbamus, et Johannem Grant vnicum executorem in eodem contentum similiter confirmamus, etc. In cuius rei testimonium, hoc presens testamentum est subscriptum manu secretarii nostri de mandato nostro, et signetum nostrum eidem est affixum, apud Sconam, vi^to^ Augusti, anno Domini millesimo v^mo^ quinquagesimo quarto.

Ita est, Joannes Dovglas, de mandato dicti reuerendi patris, manu sua.

111. Retour of John Grant of Mulben as heir to James Grant of Freuchie his father, in the lands of Glencharnych and Balnadallach. 6th October 1553.

Hec Inquisitio facta fuit apud burgum de Elgin, in pretorio eiusdem, coram honorabili viro Alexandro Dunbar de Cumnok, vicecomite de Elgin et Fores, sexto die mensis Octobris, anno Domini millesimo quingentesimo quinquagesimo tercio, per hos subscriptos, videlicet, Alexandrum Suthirland de Duffous, Jacobum Dunbar de Tarbarn, Robertum Dunbar de Durris, Alexandrum Dunbar de Conze, Wilelmum Leslie de Akinwaye, Johannem Hay de Park, Alexandrum Vrquhart de Burriszardis, Andream Suthirland de Greischip, Johannem Grant de Carroun, Thomam Narne de Cromdell, Willelmum Ogiluy de Allanboye, Johannem Stewart de Kincardin, Johannem Ogiluye in Kenparne, Alexandrum Vrquhart mercatorem, burgensem de Fores, et Andream Tulloch ibidem: Qui iurati dicunt, quod quondam Jacobus Grant de Frewquhy, pater Johannis Grant de Mylban, latoris presentium, obiit vltimo vestitus et sasitus vt de feodo, ad pacem et fidem supreme domine nostre, Marie Dei gracia Scotorum Regine, de totis et integris terris de Glencharnych et Balnadallach, cum earundem molendinis et pertinentiis vniuersis, iacentibus infra dominium de Glencharnych et vicecomitatum de Elgin et Fores antedictum; et quod dictus Johannes Grant de Mylbane est legitimus et propinquior heres eiusdem quondam Jacobi, sui patris, de totis et integris terris de Glencharnych, Balnadallach, [cum] earundem molendinis et pertinentiis quibuscunque predictis; et quod dictus Johannes Grant est legitime etatis; et quod prescripte terre de Glencharnych, Balnadallach, cum earundem molendinis et pertinentiis vniuersis, valent nunc per annum summam septuaginta vnius librarum vsualis monete huius regni Scotie; et valuerunt tempore pacis summam quadraginta librarum eiusdem monete; et quod tote et integre terre de Glencharnych, Balnadallach, cum earundem molendinis et pertinentiis suprascriptis tenentur in capite in feodofirma de suprema domina nostra Maria Regina predicta, soluendo annuatim dicte supreme domine nostre Regine et suis successoribus, Scotorum regibus, summam septuaginta vnius librarum monete superius expressate, nomine albe firme, dumtaxat; et quod dicte terre de Glencharnych, Balnadallach, cum earundem molendinis et pertinentiis suprascriptis, sunt et fuerunt in manibus memorate supreme domine nostre Regine, a die obitus dicti quondam Jacobi Grant, patris dicti Johannis Grant de Mulbene, latoris presentium, qui decessit die vicesimo sexto mensis Augusti vltime elapsi aut eocirca,

in defectu ipsius Johannis Grant predicti, sui heredis, ius suum ad totas et integras [terras] de Glencharnych et Balnadallach, cum earundem molendinis et pertinenciis superius expressatis, hucusque minime prosequentis: Data et clausa sub sigillo officii dicti vicecomitatus, necnon sigillis quorundam eorum qui dicte inquisitioni intererant his presentibus appensis, necnon breui regio hiis scriptis introcluso, sub anno, mense, die et loco quibus supra.

Hec est vera copia principalis retornatus super premissis remanentis in cancellaria S. D. N. Regine, copiata et collationata per me Willelmum Ogill deputatum directoris eiusdem, sub meis signo et subscriptione manualibus. W. OGILL.

112. CONTRACT between JOHN GRANT of Freuchie, son and heir of the deceased JAMES GRANT of Freuchie, and CHRISTIAN BARCLAY, relict of the said JAMES GRANT. 30th October 1554.

AT KYNLOS, the penult daye of October, the zeir of God m°.v°liiij zeris, it is fynallye appoyntit, concordit, and agreit betuix honourabill personis, that is to saye, Johne Grant of Frwquhye, sone, ayr, and executour of wmquhyll James Grant of Frwquhye, one that ane part, and Christane Barclaye, the relict of the sayd vmquhyll James, one that wder part, in maner, forme and effect as efter followis: That is to saye, the said Jhone, as executour foirsaid, albeit he onderstand perfyitlye that the dettis of the said wmquhyll James exceid his guddis in greit sowmes, zit, of his gudnes and frewill, hes giffin to the sayd Christane, in compleit and fwll payment of all the guddis mowabill and dettis, causis and actionis quhairbe scho swld haif or maye clayme hir thrid, all the ettis, beyr, and sexteyne oxin, and the insycht gud[is] beand in Knokendocht, that scho hes intromettit with this zeir bygaine: Prowydand allwaye that the said Christane, quhen scho dissasis or depertis fwrthe of Knokendocht to ramayn, that scho sall laif in the sam, all the treyne, insycht and brewe lwmes that ar thair presentlye, and that the said Christaine, be hir selff and hir procutoris, procwir, solist, and labor at hir power, for the ingetting of the dettis and restis contenit in the lardis testament, or without the samen, for releif of the said Jhone, at the creditoris handis, and the helpe of hir awin barnis: And as anentis her terce of all landis that the said wmquhyll James deid westit and sesit off, the said Christane, for all the dais of hir lyif and the said Jhones lyftyme, is content that the said Jhone intromet with the samen, sett, and dispone thairone, as he dois one the twa pert, with power to hald cwrtis, as hir bailze, and pwneis trespassoris; for the quhilkis, the said Jhone sall ger answer the said Christiane, zeirlye and termlye, of hir thryd of all victuall and syluer, conforme to the rentell at scho hes rycht to haif be resone of her terce, videlicet, the victual to be delyuerit to hir in Knockendocht, betuixe Zwill and Vitsundaye, and the monye at Mertemes and Vitsundaye, be equall portionis: And for the haill customes of hir terce landis, the said Jhone assingis to the said Christiane twentye wedderis, to be tayne

zeirlye vpe in the barronrye of Knokendocht, togidder with all the kyddis and fowlis within the said barronrye ; and gif the lard hes assingit [or] disponit onye of the said customes or at scho maye nocht brwik the same, he sall assinge to hir als monye in vder rowmes nerrest adiacent, and heirwpon sall fynd sufficient cautione ackit togidder with hymselff in the officiallis bwikis of Murray, onder the panis of cwrsinge : And als the said Jhone sall caus the tennendis of Wester Daltullychtis, Ballintoune, and the pendiculis thairof, togidder with the croftis of Daltullycht and Achhengane and Cardellis Croft, that pertenit to the bischope of Mwrraye, giff thair homiege and serwice to the said Christiane, to serwe hir and helpe hir to labour hir manis of Knokendocht for hir tyme : And attour, the said Jhone salbe gud and thankfull sone to hir, and caus hir be obeyt and kepit fra appin wrang or iniwris, saye far as he maye ; and in lyk maner, the said Christane salbe moder in all hertlye maner as becummis hir to do to the said Jhone : And this contrak to be extendit with all clausis necessar ; and for obserwinge and kepinge heirof, the saidis parteis ar bwndin, oblist and sworn, and for the mair securete, ar content the same be ackit and registrait in the officiallis bwikis foirsaid, and the parteis monest to keipe the same onder the pain foirsaid. In vitnes heirof, thai ha[ue] subscrywit this contrak, the zeir, daye, and place foirsaid, befoir thir vitnes, ane reuerend fader in God, Robert bischope of Orknay, Thomas Annand of Ochterallain, Alexander Ord of that Ilk, Maister Jhone Barclaye, Jhone Grant of Carrin, Wilzeam Ogilwye of Alanboye, Schir Jhone Andersone channone of Orknaye, Maister Archibald Makgregour.

JOHNE GRANT of Fruquhye.
CHRISTAN BARCLAY, vith my hand at the pen led be my bruder, M. Johone Barclay.

xx Augusti, anno Domini millesimo quingentesimo quinquagesimo sexto : Quo die moniti sunt honorabilis vir, Joannis Grant de Fruquhye, et Cristina Barclaye, relicta quondam honorabilis viri, Jacobi Grant de Fruquhye, ad perimplendum omnes et singulos punctos et articulos suprascripti contractus secundum formam eiusdem, sub pena excomunicationis, et pro securitate implecionis eiusdem, pro parte dicti Joannis Grant moniti sunt honorabiles viri, Thomas Narne de Cromdall, et Joannes Grant Roye pro perimplecione et obseruacione sue partis eiusdem, sub simili excomunicationis pena ; et dictus Joannes Grant de Fruquhye monitus est ad ipsos releuandum, sub simili excomunicationis pena.

113. LETTERS by ROBERT BISHOP OF ORKNEY and WALTER ABBOT OF KINLOSS, appointing JOHN THE GRANT of Freuchie bailie of Kinloss. 30th October 1554.

BE IT KEND tyll all men be thir present lettres, ws, Robert, be the mercye of God bischope of Orknay, vsufructuare of the abbay of Kinlos, Walter, abbot thairof, and convent of the samyne, with ane consent and assent, for defence of ws, oure place and tennentes of Kinlos, in this brokin and trublus warld, to haue maid, constitute, and ordanit, and be the tennour heirof, makis, constitutis, and ordanis ane honorable man, Johnne the Grant of Freuchy oure

principale baillie of Kinlos, for all the dayis and space of his liftym, enterand heirto the day of the dait heirof: Gevand, grantand and committand to oure said baillie oure werray lauchfull and plane power, for ws and in oure name courtis within oure barony of Kinlos to sett, afferme, and hald; baillie deputis, clerkis of courtis and officiaris be oure command, assent and awise, to create and caus be sworne; trespassouris and faltouris to punys; vnlawis and amerchiamentes, at oure command, and to oure behufe and proffitt, to vptak and rais; wappynschawingis to warne and hald; oure tennentes and inhabitantes of oure said barony of Kinloss afoir quhatsumeuir iugeis, spirituale or temporale, summond, callit or arrestit to replege; coloraith to fynd; and generalie, all and sindrie vthir thingis to hant, vse and exerce, that to the office of bailliorye in sic casis pertenis or may pertene be the law or consuetude of the realme: Attoure we consent that the said Johnne mak and create ane honorable man, Alexander Cummyng of Alteir, baillie depute of Kinlos induring the said space, to hant, do, and exerce, in absence of the said Johnne, siclik concernyng the said bailliorie as he mycht do hym self: Haldand and for to hald ferme and stable all and quhatsumeuir oure said baillie or his depute ledis in the premissis to be done: For the quhilkis and his baillie fee we and oure successouris byndis and obleissis ws lelelie and trewlie be oure faithis, to content and pay to the said Johnne the soumme of tuenty merkis vsuale money of Scotland, at tway termes in the zeir, Witsounday and Martymes, be half portionis: And als becaus the said Johnne has gevin ws his speciale letteris to tak oure anefald pairt in oure iust and lesum actionis, and with his kyn, freyndis, and seruandis, to defend ws, oure tennentes, place and abbay forsaid, that we, in like maner, and oure successouris byndis and oblissis ws to tak part with the said Johnne in his iust and lesum actionis, and sall helpe and supple hym thairin at oure power aganis all deidlie, oure allegeance to oure souerane ladye the Quenis Grace, hir modir, and the auctorite exceptit. In witnes heirof, to thir oure letteris of bailliorie, subscriuit with oure handis, oure commoun seile is to hungin, at Kinlos, the penult day of October, the zeir of God j^{m}v^{c} and fifty four zeris; befoir thir witnes, Thomas Annand of Outhirellon, Maister Edward Bruce of Kennett, Schir Johnne Andersoun, channone of Orknay, William Gib, and Maister Petir Galbraith, notare publict, with vtheris diuers.

Ro. Orchaden. Ep^{s}.

Ego frater Thomas Brown subscribo.
Ego frater Jacobus Burt subscribo.
Ego frater Dionisius subscribo.
Ego frater Ferquhardus Pruntoch subscribo.
Ego frater Andreas Vatsone subscribo.
Ego frater Joannes Phylp subscribo.
Et ego frater Alexander Baid subscribo.
Ego frater Adamus Eldar subscribo.
Ego frater Johannes Camroun subscribo.
Ego frater David Lauerok subscribo.
Ego frater Jacobus Pont subscribo.
Ego frater Walterus Hetton subscribo.
Ego frater Johannes Smyth subscribo.
Ego frater Wilelmus Brown subscribo.
Ego frater Richardus Sandis subscribo.
Ego frater Gulielmus Forsyth subscribo.
Ego frater Wilelmus Lyell subscribo.
Ego frater Adamus Riddel subscribo.
Ego frater Archibaldus Bradwod subscribo.

114. Commission of Justiciary by Mary Queen of Scots to John Grant of Freuchie, within the bounds of Strathspey, etc. 8th June 1555.

Maria Dei gracia Regina Scotorum, omnibus probis hominibus suis ad quos presentes litere peruenerint, salutem: Sciatis quod diuersa homicidia, murthura, furta, oppressiones seu lie sornyngis, furti receptio et manifeste siue manufortes rapine, infra bondas terrarum de Strathspey, Vrquhart, Glenmoristoun et Strathdoun, iacentium infra vicecomitatus nostros de Inuernys, Elgin et Fores, ac Banffe respectiue, fuerunt, ad extremam depredationem et destructionem nostrorum pauperum et fidelium ligeorum, inhabitantium earundem; et pro repressione ac punitione commissorum dictorum criminum, requie et quiete prefatorum inhabitantium, manutenentiaque communis boni huius nostri regni, ob id, fecimus, constituimus, et ordinauimus, ac per presentes facimus, constituimus, et ordinamus dilectum nostrum Johannem Grant de Freuchy nostrum iusticiarium in hac parte, intra totas et integras dictas bondas et terras de Strathspey, excepto ipsarum tanto quantum Johannes Grant de Ballindalloch et pater suus occupant, totas et integras predictas terras de Vrquhart et Glenmoristoun, ac tantum dictarum terrarum de Strathdoun quantum memorato Johanni Grant de Fruchy pertinet: Dantes et committentes eidem Johanni Grant de Fruchy nostram plenariam potestatem, speciale mandatum, expressum preceptum atque onerationem, omnes et singulas personas tam intra bondas dictarum terrarum commorantes (exceptis prius exceptis), quam easdem frequentantes, dilatas seu suspectas de dictis criminibus, homicidio, murthuro, furto, lie sornyng, receptione furti, manuforti rapina, incendio et mulierum raptu, rimandi, perscrutandi seu inquirendi, capiendi et apprehendendi, ac eas aut aliquam earum, quousque iusticia super illis pro eisdem ministretur, in carcere et firmantia ponendi ac detinendi; necnon pro iusticie ministratione super eis pro dictis criminibus, curiam seu curias nostre iusticiarie super prelibatis terris, vbi illi magis expedire videbitur, statuendi, inchoandi, affirmandi, tenendi et quotiens opus fuerit continuandi; absentes amerciandi, exitus, amerciamenta, et eschaetas dictarum curiarum petendi, exigendi, leuandi, atque nostro vsui applicandi, et importandi, et si opus fuerit, pro eisdem namandi et distringendi; memoratas personas de predictis criminibus delatas et suspectas, in dictis curia aut curiis in iudicio pro eisdem vocandi, per indictamentum accusandi, ipsasque, vt congruit, ad cognitionem assisarum ponendi; super quoque deliberatione ipsarum assisarum super eis legibus et regni nostri consuetudini conforme iusticiam faciendi vel ministrandi: Atque ad hunc effectum, deputatos sub eo in dicto officio, cum clericis, seriandis, iudicatoribus, omnibusque aliis officiariis ac membris dictarum curiarum necessariis faciendi, creandi, substituendi, ordinandi et iurari causandi, pro quibus respondere tenebitur; assisam siue assisas probarum et fidelium personarum vicecomitatuum nostrorum, vbi prefate terre iacent, aliorumque quatuor vicecomitatuum eisdem propinquius adiacentium, ad sufficientem numerum person-

arum, minime suspectarum, veritatem melius cognoscentium, sub pena quadraginta librarum de qualibet persona non comparente, ad comparendum coram dicto nostro iusticiario in hac parte in curia seu curiis supradictis, ad accedendum super assisis memorataruin personarum de dictis criminibus delatarum, summonendi, premuniendi, eligendi et iurari similiter causandi; et generaliter omnia alia et singula faciendi, gerendi, exercendi et vtendi que in premissis et circa ea necessaria fuerint seu quouismodo oportuna: Ratum et gratum habentes et habituros totum et quicquid dictus noster iusticiarius in hac parte, sui deputati, officiarii et ministri, in premissis rite duxerit seu duxerint faciendum: Quare vniuersis et singulis quorum interest vel interesse poterit stricte precipimus et mandamus, quatenus prenominato iusticiario nostro in hac parte suisque officiario deputato ac ministro, in omnibus et singulis premissa concernentibus prompte respondeant, pareant et intendant, sub omni pena que competere poterit in hac parte; presentibus pro nostra voluntate duraturis: Datum sub testimonio nostri magni sigilli, apud Edinburgh, octauo die mensis Junii, anno Domini millesimo quingentesimo quinquagesimo quinto, et regni nostri decimo tertio.[1]

Per signaturam manu Marie Regine Dotarie ac matris supreme domine nostre Regine ac regnique sui Regentis subscriptam.

115. Commission by Mary Queen of Scots for executing the brieves of service of John Grant of Freuchie in the lands of Tullochgorme, etc. 4th December 1555.

Maria Dei gratia Regina Scotorum, omnibus probis hominibus suis ad quos presentes litere peruenerint, salutem: Sciatis quod penes nostras literas ad instantiam dilecti nostri Johannis Grant de Freuchy contra consanguineum nostrum Georgium comitem de Huntlie, vicecomitem nostrum principalem de Inuernys, impetratas seu adeptas, mentionem facientes quod dictus Johannes breuia inquisitionum capelle nostre dicto vicecomiti nostro de Inuernys et deputatis suis directa leuauit, coram illis, tanquam legitimus et propinquior heres quondam Jacobo Grant de Freuchy, suo patri, deseruiri de omnibus terris et annuis redditibus de quibus ipse obiit vltimo vestitus et sasitus vt de feodo, ad pacem et fidem nostram, jacentibus infra prelibatum vicecomitatum nostrum; que breuia memoratus Johannes legitime et debite proclamari coram dicto vicecomite nostro et deputatis suis, vicesimo tercio die mensis Marcii nouissime elapsi deseruiri causauit: Et ad prefatum diem, in pretorio burgi nostri de Inuernys comparuit, ac illic dictum breue debite executum et indorsatum produxit, vnacum suo clameo, desiderante siue petente deseruiri de terris de Tullochgarne, Thure, Clurene.

[1] Another Commission is granted by Archibald Earl of Argyll, Lord Campbell and Lorne, etc., justiciar-general of Scotland, to John Grant of Freuchie and William Ogilvy of Allanbuy, appointing them his deputes and lieutenants in his office of justiciary for the trial of John Reoch Grant, accused of common theft, receipt of theft, sorning, and homicides, and to administer justice upon him. Dated at Edinburgh, 15th May 1555. [Original at Castle Grant.]

Tulloch atque dimediis terris de Dalfour cum suis pendiculis et pertinentiis; desiderauitque memoratum vicecomitem ac suos deputatos idem ad cognitionem inquisitionis ponere, atque processum sibi desuper conferre, legibus ac huius nostri regni consuetudini conforme: Quod dictus vicecomes et sui deputati facere penitus refutarunt, prout auctentica instrumenta desuper capta proportant, et ob id sibi Johanni justiciam facere seu ministrare manifeste recusarunt; necnon ipsum integras suas expensas cum firmis et proficuis terrarum suarum termini Penthecostes vltime retroacti amittere perdereve causarunt; simili quoque modo huiusmodi de omnibus annis et terminis venturis ipsum perdere causare intendunt, atque eum a sua hereditate expellere: Et penes onerationem memorato vicecomiti datam ad comparendum coram dominis nostri consilii ad audiendum, et nostram commissionem modo sequenti dirigi videndum, vel ad causam rationabilem quare huiusmodi minime dari debet allegandum, sicuti in dictis literis latius specificatur: Prelibato Johanni Grant per magistrum Johannem Spens eius procuratorem comparente, prenominatoque Georgio comite de Huntlie, vicecomite nostro supradicto, per magistrum Dauidem Borthuik suum procuratorem comparente, eorum iuribus, rationibus et allegationibus auditis, visis et intellectis, et cum eisdem mature auisati existentes consilii nostri domini nostram commissionem sub nostri magni sigilli testimonio exhiberi seu tradi decernunt et ordinant: Ex quorum decreto et ordinatione dictum breue siue breuia in pretorio burgi nostri de Edinburgh deseruiri ordinauimus, et fecimus, constituimus et ordinauimus, ac per presentes facimus, constituimus et ordinamus dilectos nostros magistros Alexandrum Sym, Alexandrum Skene, Clementem Litill, Johannem Marioribankis, Thomam Kincragy, Alexandrum Mauchane, Georgium Strang, Richardum Strang, aut eorum duos quoscunque, coniunctim vicecomites nostros antedicti vicecomitatus nostri de Inuernys in hac parte et ad infrascripta tantummodo, videlicet, ad exequendum vel deseruiendum breue siue breuia inquisitionum capelle nostre per dictum Johannem Grant impetrata seu impetranda super prescriptis terris et annuis redditibus cum pertinentiis, sibi per mortem memorati quondam Jacobi sui patris spectantibus aut pertinentibus infra predictum vicecomitatum nostrum de Inuernys, vt premissum est, jacentibus: Dando, concedendo et committendo prenominatis nostris vicecomitibus in hac parte seu quibusuis eorum duobus coniunctim, nostram plenariam potestatem ac mandatum speciale, curiam siue curias in predicto pretorio burgi nostri de Edinburgh, pro deseruitione dictorum breuium, statuendi, inchoandi, affigendi, affirmandi, tenendi, ac easdem quoties opus fuerit, continuandi; dictaque breuia recipiendi, aperiendi, proclamandi proclamarive et eadem debite deseruiri faciendi; inquisitionem quoque vnam vel plures, seu probos et fideles homines prescripti vicecomitatus nostri de Inuernys et aliorum quatuor vicecomitatūm eidem propinquius adiacentium, ad sufficientem numerum personarum minime suspectarum, veritatem melius siue magis lucide cognoscentium, ad comparendum coram prefatis nostris vicecomitibus in hac parte, seu vllis eorum duobus coniunctim, in dicto pretorio burgi nostri de Edinburgh, ad accedendum super deseruitione dictorum breuium, sub pena quadraginta

librarum de qualibet persona non comparente, summonendi, premuniendi, eligendi, comparere et jurari causandi; et per illos probos et fideles super punctis et articulis in eisdem breui seu breuibus contentis determinandi et deliberari faciendi; ac deliberationem eorundem, vt moris est, capelle nostre retornandi; clericos, seriandos, iudicatores atque alios officiarios et curie membra necessarios faciendi, creandi, ordinandi, et iurari etiam causandi, et generaliter, omnia alia et singula faciendi, exercendi et vtendi, que in premissis et circa ea necessaria fuerint seu quoquo modo oportuna: Quare, vniuersis et singulis, quorum interest vel interesse poterit, stricte precipimus et mandamus quatenus supradictis nostris vicecomitibus in hac parte, aut vllis eorum duobus coniunctim, suisque officiariis et ministris, in omnibus et singulis premissa tangentibus, prompte respondeant, pareant, et intendant, sub omni pena que competere poterit in hac parte: Ob causam quia dictus magister Johannes Spens, procurator prescriptus, in presentia dictorum dominorum, vnum instrumentum sub signo et manuali subscriptione Martini Logy, notarii publici, predicti vicecomitis refutationem deputatorum suprascriptorum gerens seu proportans, veluti idem coram prefatis dominis monstratum proportabat et gerebat, de data decimo tercio die Marcii, anno Domini millesimo quingentesimo quinquagesimo quarto, produxit: Suprascriptum demum pretorium burgi nostri de Edinburgh adeo legitimum et validum sicut pretorio burgi nostri de Inuernys admittentes et decernentes, cum quo per presentes dispensamus. Datum sub testimonio nostri magni sigilli, apud Edinburgh, quarto die mensis Decembris, anno Domini millesimo quingentesimo quinquagesimo quinto, et regni nostri decimo tercio.

Per decretum dominorum consilii etc.

116. Bond by John Grant of Freuchie and Alexander Grant, brother of John Grant of Ballindallach, to fulfil a Decreet-Arbitral anent the lands of Mekill Cardell, etc. 21st August 1556.

At Elgin, the tuente ane daye of August, the zeir of God ane thousand fyfe hundretht and fyftye sax zeris, Johne Grant off Frewquhie, as sone and aire of wmquhile James Grant of Frewquhie, and for himself, on the ane part, and Alexander Grant, brother germane to Johne Grant of Ballindallacht, on the vther part, ar faythfullie compromittit, bund, oblesit and sworne to stand at, abide, vnderlye and fulfill the sentence, ordinance, decrete arbitrall and deliuerance of honorabill men, that is to saye, Arthour Forbes of Balfour, William Ogilwye of Allanebowe, John Roye Grant of Carrone, and Schir Johne Gibsone cheplane in Elgin, or ony twa of thame, chosin for the part of the said Johne Grant of Frewquhie, and of George Meldrum of Fywie, knycht, William Leslie, zoungar of Bolquhane, Master Johne Leslie, commissar of Aberdene, and Alexander Con of Awchrye, or onye tua of thame, chosin for the part of the said Alexander Grant, as iuges, arbitratoris, and amicabill compositoris equalie chosin betuix the saiddis parteis, anent the action and cause contenit in our souerane Ladeis

letteris, purchessit be the said Alester, direct to the schirref of Inuernys and his deputis, and libellit precept direct be thame thairupon, tuecliing the allegit eiection of the said Alester, his servandis and gudis, furtht of the landis of Mekill Cardell, Litill Cardell, and half town of Pitcroye, with thair pertinentis, liand within the schirefdome of Elgin and Fores, clamit be the said Alester to pertene to him in heretage, and spoliacion of him of his possession thairoff, allegit done be the said umquhile James Grant, be himselff, his servandis and complices, of his causing, command, assistence and ratehabicion, in the moneth of Marche, the zeir of God ane thowsand fyfe hundreth and xl tua zeris ; and anent the violent withhalding fra him of the proffeittis thairoff be the said James, quhill his deceis, and sensyne be the said Johne Grant, his sone and aire and succedand in his vice, like as at mair lynth is contenit in the saiddis letteris and libellit precept ; and anent all vtheris actionis, pleyis, querrellis, contrauerseis and debatis, quhilkis ather of the saidis parteis had, hes or ony wayis maye haiff or moiff aganis vtheris befoir the day and daite heroff : And the saidis parteis sall caus the saidis iuges chosin be ather of thame, or onye twa of thame, on athir partie, to convene in the kirk or cloister of the Graye Freris of Aberdene, the tuentie day of September nixt to cum, befoir noyne, and thair accept the said action and caws debatable in and vpon thame, and to be sworne to deliuer thairintill lelelie and trewlie, eftir thair cunning, knawlage and conscience, in amicabill wayis, and commond thairintill, and heir the richtis, rasonis and defensis of bayth the parteis in the said mater ; and thai to giff furtht thair decrete arbitrall in the samyn, within the space of fiftene dais nixt thaireftir ; with power to the saiddis iuges or onye twa of thame, chosin for athir of the saidis parteis, to prorogat the furthgiffing of thair decrete arbitrall in the said action and caus debatabill for the space of aucht dais nixt thairefter : And quhow ewir the saiddis iuges acceptand, or the maist part of thame, decretis and deliueris in the premissis in amicabill wayis, bayth the saiddis parteis ar bondin, oblesit and sworne to wnderlye and fulfill the samyn, without reuocacion, reclamacion, or appellacion : And in caice of discorde betuix the saidis iuges in the said debatabill action and caus, bayth the saiddis parteis hes chosin Walter Leslie of Kynonowye as ourman and odman thairintill ; and quhowewir the saiddis iuges or ony twa of thame, togidder with the said ourman, decretis and deliueris in the premissis, bayth the saidis parteis ar bund, oblesit and sworne to fulfill the samyn ; and sall nocht rewoke, appeill, reclayme thairfra, or ony wayis cum in the contrar thair decrete arbitrall to be giffin in maner forsaid or vther, for nullitie, enorme lesione, or ony vther caus contenit or prowidit be the commond law, cannon law, law municipall or consuetude of this realme, or ony vther lawis, bot bayth the saidis parteis grantis thame to be secludit thairfra, swa that the said decrete arbitrall to be giffin vpon this compromitt maye stand and haiff full effect ; with power to the said ourman and odman to giff furtht and pronunce his sentence and decrete in the said mater within xx dais nixt efter the owtgiffinge of the decrete or decretis of the saidis iuges arbitratoris or ony of thame of the nummer abone wretin, chosin for ather of the saiddis parteis : Attour, bayth the saidis

parteis ar content and consentis that this present compromitt, togidder with the decrete arbitrall to be giffin thairupon be the saidis iuges and ourman chosin in caice of discord, as said is, be actit and registrat in the bwckis of the officiall of Murraye, submittand thame to his iurisdiction, and in likewayis in the bwckis of our souerane Ladeis counsall, and to haiff the strynth of ane decrete of the Lordis thairoff, and letteris to be direct be the saidis Lordis and officiall of Murray be ather of thair iurisdiction at the instance of baytht the saidis parteis for compelling of thame to fulfill the samyn to vtheris, of cursing, horning, poynding, and distrenzeing, in forme as efferis: And for acting of the samyn in the saidis bwckis respectiue the saidis parteis hes maid and constitute thair verraye lauchfull, irreuocabill, and vndowttit procuratouris, with power to thame to compeir befoir the saidis iuges to the effect forsaid. In witnes heiroff, bayth the saidis parteis hes subscriuit thir presentis with thair handis, daye, zeir, and place forsaiddis; befoir thir witnes, Thomas Narne of Cromdall, Johne Grant of Ballindallacht, Thomas Cuming of Altyr, Duncane Grant of Gartynbeig, and James Crukschank, and Schir Johne Gibsone, notar publict, with vtheris diuers.

JOHNE GRANT of Fruquhye.

ALLEXANDER GRANT of Cardellis.

117. PRESENTATION, by MARY QUEEN OF SCOTS, of SIR JOHN DONALDSON to the chaplainry of St. Ninians, in the parish of Urquhart, etc. 26th August 1556.

MARIA Dei gracia Regina Scotorum, reuerendo in Christo patri, Patricio miseratione diuina Morauiensi episcopo, salutem: Quia charissime nostre matri, Marie Regine Dotarie regni nostri ac eiusdem Regenti clare constat quod dilectus orator noster, dominus Joannes Donaldsoun, capellanus, vnam presentationem a quondam charissimo nostro patre bone memorie, cuius anime propicietur Deus, obtinebat super capellania Sancti Niniani, cum quadraginta solidatis terrarum Pitkarell nuncupatarum, et vna crofta dicte capellanie spectante, vnacum crofta et reliquiis crucifixi Sancti Drostani, infra parrochiam de Vrquhart et diocesim vestram Morauiensem, tunc temporis vacante per decessum quondam domini Duncani M^cOlrig, tunc possessoris eiusdem, ad dicti nostri quondam patris presentationem pertinente, quondam reuerendo in Christo patri Alexandro tunc Morauiensi episcopo pro tempore directam; super quaquidem presentatione prefatus quondam reuerendus pater suam collationem ordinariam prefato domino Joanni, cum suis literis ordinariis, ad prefatum dominum Joannem de fructibus eiusdem responderi causandum, tradidit: Quequidem collatio ac integra prouisio dicte capellanie in possessione dicti domini Joannis existentes, rapte, spoliate, et ab eo ablate erant per diuersos malefactores patrie in qua dictus dominus Joannes habitat; presentatione per prenominatum quondam nostrum patrem concessa dumtaxat excepta: Per quarum literarum ac prouisionis dicte capellanie amissionem, perditionem, ac ablationem, nos nolumus dictum dominum Joannem penes possessionem dicte capellanie et fructuum eiusdem ledi,

sed potius ipsum de eadem capellania et fructibus eiusdem securiorem facere: Igitur, prefatum dominum Joannem ad dictam capellaniam, cum croftis, terris et reliquiis predictis, vobis de nouo tenore presentium presentamus; exhortantes, rogantes, quatenus prenominatum dominum Joannem, nostrum ut premittitur presentatum, in et ad dictam capellaniam, cum croftis, terris et reliquiis dicte capellanie pertinentibus, de nouo recipiatis et admittatis, eandemque ac vestram collationem ordinariam et alias prouisiones necessarias sibi desuper conferatis; ac ipsum, vel procuratorem suum eius nomine, in realem, actualem, et corporalem possessionem eiusdem inducatis, et instituatis; inductumque et institutum, in eadem canonice defendatis; sibique vel procuratoribus suis de vniuersis et singulis domibus, iuribus, fructibus, terris, croftis, reliquiis, redditibus, decimis, oblationibus, emolumentis et proficuis eiusdem integre responderi faciatis; contradictores uero et rebelles, si qui forsan fuerint, vestra auctoritate ordinaria arctius compescentes, ceteraque facientes que vobis in premissis ex officio vestro pastorali incumbunt peragenda. Datum sub nostro secreto sigillo, apud Elgin, vigesimo sexto die mensis Augusti, anno Domini millesimo quingentesimo quinquagesimo sexto, et regni nostri decimo quarto.

Per signaturam manu domine Regine et Regentis regni nostri subscriptam.

118. Letters of Collation by Patrick Bishop of Moray, in favour of the said Sir John Donaldson. 2d September 1556.

Patricius miseratione diuina Morauiensis episcopus, monasteriique de Scona commendatarius perpetuus, discreto viro domino Jacobo Duff, rectori de Bolleskyne, nostroque commissario infra decanatum de Inuernes, seu cuicunque alteri capellano, curato et non curato, infra nostram diocesim Morauiensem diuina celebranti, et super executione presentium debite requisito, salutem cum benedictione diuina: Quia alias longe antea vacante capellania Sancti Niniani, cum quadraginta solidatis terrarum de Pitkarell nuncupatarum, et vna crofta dicte capellanie spectante, vnacum alia crofta, et reliquiis crucifixi Sancti Drostani, infra parochiam ecclesie parochialis de Wrquhart et nostram diocesim Morauiensem, in manibus serenissime domine Marie Dei gratia Scotorum Regine nostre, per decessum quondam domini Duncani Makolrik, olim capellani et possessoris eiusdem, ad dicte serenissime Marie nostre Regine presentationem, nostramque admissionem et confirmationem ordinariam, pleno iure spectante et incumbente, comparuit coram nobis discretus vir, dominus Joannes Donaldsone, presbyter nostre Morauiensis diocesis, et quandam presentationem dicte serenissime domine nostre Scotorum Regine, per charissimam suam matrem Mariam, Dotariam regni Scotie ac eiusdem Regentem, super dicta capellania Sancti Niniani, cum vniuersis et singulis domibus, iuribus, fructibus, terris, croftis, reliquiis, redditibus, decimis, oblationibus, emolumentis et proficuis, sibi dicto domino Joanni desuper concessam, nobis perlegendam exhibuit et presentauit: Qua visa, considerata et perlecta, rogati et requisiti debita cum

instancia fuimus, cum per prefatam serenissimam dominam nostram Reginam, iure patronatus sui de dicta capellania, tum per eundem dominum Joannem Donaldsone, presentatum, quatenus dictum dominum Joannem, sic vt premittitur, nominatum, electum et presentatum in et ad dictam capellaniam, cum croftis, terris, oblationibus, et reliquiis Sancti Drostani prefate capellanie spectantibus, recipere, admittere, et nostram admissionem ordinariam ac alias prouisiones necessarias sibi domino Joanni desuper conferre velimus, iuxta vim, formam, continentiam et effectum dicte presentationis nobis desuper directe et presentate, de data apud Elgin, vigesimo sexto die mensis Augusti, anno Domini millesimo quingentesimo quinquagesimo sexto, et regni dicte serenissime domine Regine decimo quarto: Nos vero attendentes huiusmodi requisitiones et rogationes iustas fore et rationi consonas, volentesque mandatum dicte domine nostre Regine in suis litteris presentationum contentum perimplere, vt tenemur, ipsum dominum Joannem sic vt premittitur per sepefatam serenissimam dominam nostram Reginam electum, nominatum et presentatum, in capellanum dicte capellanie Sancti Niniani, cum quadraginta solidatis terrarum de Petkarell nuncupatarum, cum crofta dicte capellanie spectante, vnacum alia crofta et reliquiis crucifixi Sancti Drostani, infra dictam parochiam de Wrquhard, causantibus suis meritis et ydonietate, admittimus, ac dictam presentationem in quantum est legitime factam duximus approbandam et confirmandam, prout tenore presentium et nostra authoritate ordinaria approbamus et confirmamus; curam et administrationem dicte capellanie in sacello eiusdem eidem domino Joanni per presentes committentes, dummodo per eundem dominum Joannem personaliter vel alium presbyterum ydoneum in eadem debite officiatur, ne anime fundatorum eiusdem debitis suffragiis solitis et consuetis defraudarentur: Vobis igitur et vestrum cuilibet, in virtute sancte obedientie, et sub pena suspensionis a diuinis, quam in vos et vestrum quemlibet, si distuleritis que mandamus, ferimus in hiis scriptis, stricte precipiendo quatenus dictum dominum Joannem Donaldsone, seu eius procuratorem legitimum eius nomine, in realem, actualem et corporalem possessionem prefate capellanie, cum vniuersis et singulis suis iuribus, croftis, oblationibus, annuis redditibus, et reliquiis crucifixi Sancti Drostani, et aliis pertinentiis quibuscunque solui solitis et consuetis, quocunque nomine nuncupatis, ad sepedictam capellaniam Sancti Niniani nuncupatam Petkarall quomodolibet spectantibus seu iuste spectare valentibus, per traditionem calicis et libri missalis, ornamentorumque altaris eiusdem in eadem tradatis, inducatis, instituatis, et deliberetis, seu alter vestrum tradat, inducat, instituat, et deliberet; sibique et suis factoribus, de vniuersis et singulis fructibus, redditibus, croftis, oblationibus, terris, reliquiis Sancti Drostani, et aliis commoditatibus eiusdem responderi faciatis, et nulli alteri; contradictores vero et rebelles, si qui forsan fuerint, authoritate nostra ordinaria arctius inde compescendo. In cuius rei testimonium, sigilli nostri rotundi vnacum subscriptione manuali notarii publici subscripti, notarii in premissis, presentibus appensione iussimus et fecimus communiri. Super quibus omnibus et singulis premissis, dictus dominus Joannes Donaldsone admissus, a me notario publico subscripto vnum sibi vel plura instrumentum seu instrumenta, publicum vel

publica fieri peciit. Acta erant hec in horto dicti reuerendi patris, apud palacium de Spyne situato, horam circa quartam pomeridianam, aut eo circa, die secundo mensis Septembris, anno Domini millesimo quingentesimo quinquagesimo sexto, indictione decima quarta, pontificatus sanctissimi in Cristo patris et domini nostri, domini Pauli diuina prouidentia Pape quarti anno secundo; presentibus ibidem, magistro Dauid Trumpbill, capellano dicti reuerendi patris, et Willelmo Wallace, seruo eiusdem, testibus ad premissa vocatis pariterque rogatis.

Et ego Willelmus Douglas, presbyter Sancti Andree diocesis, notariusque publicus, quia premisse presentationis productioni, admissionisque desuper concessioni [*etc.*]

Et ego vero dominus Joannes Pauli iunior, vicarius de Kilmaly, presbyter Lesmorensis diocesis, ac notarius publicus, executor retroscriptarum collationis litterarum, vnacum retroscripto domino Joanne Donaldsoune principali, ad capellam Sancti Niniani et ecclesiam parochialem de Vrquhart, Morauiensis diocesis, personaliter accessi, et ibidem eundem dominum Joannem in capellaniam et seruicium Sancti Niniani, Drostani, et Adampnani, cum quadraginta solidatis de Petkerrar terrarum nuncupatarum, cum crofta Sancti Adampnani, reliquiis cruciñxi, et crofta dicte capellanie spectantibus, vnacum crofta et reliquiis Sancti Drostani, infra parochiam de Vrquhart situatis et fundatis, vt retroscribitur, per cornuum summi altaris, ornamentorum eiusdem, clauium hostiorum et cordularum campanarum prefatarum ecclesiarum traditionem; ac ipsum dominum Joannem Donaldsoune in et ad actualem realem et corporalem possessionem iuriumque et pertinentiarum retroscriptarum capellaniarum, secundum tenorem retroscripte collationis, induxi, institui, et inuestiui, vt moris est; ac ipsum dominum Joannem Donaldsoune in easdem capellanias cum fructibus earundem inductum, institutum et inuestitum nemine contradicente, in pace dimisi. In cuius rei testimonium, hec presens institutio, manu mea propria scripta, et subscripta, signoque cognomine et subscriptione, xi° Junii anno Domini millesimo quingentesimo quinquagesimo ix°, indictione decima septima, pontificatus sanctissimi in Cristo Patris ac domini, domini nostri Pauli diuina prouidentia Pape quarti anno secundo; presentibus ibidem Joanne Dow M°Gowin, Donill M°Innes, clerico parochiali, Joanne M°Kandech, Joanne M°Evyn M°Villiam, et me, notario infrascripto, cum diuersis aliis.

Ita est dominus Joannes Pauli, vicarius de Kilmaly, Lesmorensis diocesis, ac notarius publicus et executor retroscripte collationis et dator institutionis, in fidem et testimonium premissorum et singulorum omnium, teste manu propria.

119. Bond of Relief by Makye of Far, in favour of John Grant of Freuchie, his cautioner, for 1000 merks. 25th July 1557.

I, Ye Makye of Far, byndis and oblisis me and mye aris, executouris and assignays, to releiff Jhone Graunt of Fruquhye, his aris, executouris, and assignays, of the sowme of ane thousand

merkis; for the quhilk the sayd Jhone Grantt becwm souerte to our souerane ladeye the Quenis Grace for me, as the obligation specifeis the sammyn: And forthir, is content at quhat tym the sayd Jhone Grant desyris me, to act me in the buikis of Cunsell, to relef hym of the said some as lawe will: In witnes of the quhilk I haif subscryuit this with mye hand at Eddinbro, the xxv daye of Julii, the zeir of God m°v°lvij zeris; befoyr thir witnes, Archibald Haldan, Duncan Cunnegam, Mechall Gardner, with wderis dyners.

Y. M°Ky of Far.

120. Contract for the Marriage of David Ross, son of Alexander Ross of the Holm, and Agnes, sister to John Grant of Freuchie. 24th August 1558.

At Fruquhye, the xxiiij daye of August, in the zeir of God m°v° fyftye and aucht zeris, it is apoyntit, agreit and fynalye concordit betuix honorabill men, that is to saye, Jhone Grant of Fruquhye, one that ane part, and Allexander Ros of the Holm, one the toder part, in maner, form and effect as eftir followis: That is to saye, God villinge, that Dauid Ros, eldest son and apperand ayr to Allexander Ros of the Holm, sall haif to wyf Nans Grant, syster to Jhone Grant of Fruquhye, and the sayd Allexander Ros of the Holm byndis and oblisis hym to infeft the sayd Nans Grant and the said Dauid Ros in the landis of Duldawych, with the mill, pendiculis, croftis and pertinentis of the sam, betuix this and the feist of Martemes nyxt and immediat followynge the dait heirof, oder be resignation of the saydis landis in the bischope of Murrays handis, ourlord of the sam, or haldin of the sayd Allexander Ros of the Holm, he obtenand the bischoppis confirmation thairupon, and failzeinge of the saydis Nans and Dauid Ros, to thair airis gottin betuix tham, failzeinge of the quhilk, to the sayd Allexander Rossis arys maill quhatsumewer: The saydis Nans and Dauid or the langest lewaris of tham twa payand to the bischoppis of Murraye for the landis aboyn wrytin ten pundis and twa schillingis maill, at twa termes in the zeir, conform to thar chartour of fewe, and this to be doyn on the sayd Allexander Rossis expensis: And als Jhon Grant of Freuquhye sall content and paye to Allexander Ros of the Holm the sowme of thre hunderethe merkis in tocher gud, togydder with ane hunderethe merkis to the sayd Dauid Ros and Nans Grant quhen the lard thinkis it expedient, and to brynge haym ane dispensation of thryddis and ferd of consanguenete on the lardis expensis: And gif Allexander Ros or Dauid Ros, or onye in thair nayme, mowys ane caus of dyuors, quharthrowe the sayd Nans maye nocht be the sayd Dauid Rossis lauchfull vyf, aye and als oft as the said caus is mowit, the said Allexander Ros and Dauid Ros sall bringe haym ane dispensation on thair expensis, aye and quhill scho be his lauchfull wyf: And als gyf the sayd Nans, or onye in hir naym, mowis ane caus of dyuors, in lyk maner scho sall bryng haym ane dispensation, aye and quhill thai be lauchfull: Als the said Allexander Ros byndis and oblisis hym at he sall nocht sell, annaill, nor put awaye na landis at he hes conquest of or to be conquest, bot to be giffen to the said Dauid

Ros his son and the ayris gottin betuix hym and the said Nans Grant: And failzeing at the said Allexander Ros of the Holm obserw, keipe and fwlfyll all the poyntis aboyn wrytin, the said Allexander Ros sall paye to the sayd Jhone Grant of Fruquhye or his aris the sowm of ane thousand merkis: Als the payment of the foirsayd sowm of tocher gud to be ane hunderethe merkis, to be pait to the said Allexander Ros at the feist of Martemes nyxt and immediat followinge the dait heirof, and ane hunderethe merkis at the feist of Martemes in anno fyftye noyn zeris, and ane hunderethe merkis at the Vitsundaye nyxt thairefter: And als the sayd Jhone Grant of Fruquhye and Allexander Ros of the Holm byndis and oblisis tham to stand ferm and stabill, euere ane for thair awyn part, at all the poyntis of this present contrack; and gif it be nocht sower as it standis nowe, it salbe lesum to mak it als sower as men of law can dewys, and to be insertit in the officeallis buikis of Murraye to the verafication of the sam, we hayin subscryuit this present contrak with bayth our handis, befoir thir wytnes, Jhon Leslye of Perkhyll, Scot Ros, Hutchon Ros, Thomas Cummyng, lard of Alter, Maister Archibald M^cGregour, with vderis dyuers.

JOHNE GRANT of Fruquhye.
ALEX^R ROS of Holme.

121. PRECEPT OF CLARE CONSTAT by PATRICK BISHOP OF MORAY, for infefting JOHN GRANT of Freuchie in the lands of Over Finlarg, etc. 22d December 1560.

PATRICIUS miseratione diuina Morauiensis episcopus, monasteriique de Scona commendatarius perpetuus, dilectis nostris et eorum cuilibet coniunctim et diuisim balliuis nostris in hac parte specialiter constitutis, salutem: Quia nobis clare constat, et per autentica documenta et euidentias nobis clare et manifeste compertum et notum est, quod quondam Willelmus Grant de Vuirfinlarg, frater Johannis Grant de Fruquhy, latoris presentium, obiit vltimo vestitus et sasitus ut de feodo ad pacem et fidem supreme domine nostre Regine de omnibus et singulis terris nostris de Vuirfinlarg, Mukroch alias vocato Mydfinlarg, et Nethirfinlarg cum suis pertinentiis, iacentibus in baronia de Strathspey, regalitate de Spyny et vicecomitatu de Elgyn et Fores; Et quod dictus Johannes Grant de Fruquhy est legitimus heres masculus eiusdem quondam Willelmi, sui fratris, de predictis terris cum pertinenciis, vigore euidentiarum et infeofamenti prefato Willelmo desuper confectarum; Et quod est legitime etatis; Et quod predicte terre de Vuirfinlarg, Mukroch alias vocato Mydfinlarg et Nethirfinlarg, cum suis pertinenciis, de nobis et nostris successoribus, Morauiensibus episcopis immediate tenentur in capite, in feudifirma siue emphiteosi et hereditate, prout in antiquis euidentiis desuper confectis latius continetur: Vobis igitur balliuis nostris antedictis et vestrum cuilibet, coniunctim et diuisim, firmiter precipimus et mandamus quatenus visis presentibus, indilate statum, sasinam et possessionem hereditariam, corporalem,

realem et actualem, omnium et singularum prescriptarum terrarum de Vuirfinlarg, Mukroth alias vocato Midfinlarg, et Nethirfinlarg cum suis pertinentiis, prefato Johanni Grant de Fruquhy vel suo certo attornato latori presentium, secundum formam et tenorem antiqui infeofamenti dicto quondam Willelmo suo fratri desuper confecti, iuste haberi faciatis et deliberetis, ac nullo modo omittatis: Ad quod faciendum vobis et vestrum cuilibet coniunctim et diuisim nostram plenariam et irreuocabilem tenore presentium committimus potestatem: In cuius rei testimonium sigillum nostrum rotundum presentibus est appensum, cum nostra subscriptione manuali; apud monasterium predictum de Scone, vigesimo secundo die mensis Decembris, anno Domini millesimo quingentesimo sexagesimo; coram his testibus magistro Johanne Dowglas vicario de Galstoun, Jacobo Hepburn burgensi de Perth, Johanne Bunche cubicolario nostro. PA. Morauien. Ep^us^.

122. NOTARIAL INSTRUMENT on the rendering of the Castle of Drummyn to JOHN GRANT of Freuchie. 3d December 1562.

TERTIO die mensis Decembris, anno Domini millesimo quingentesimo sexagesimo secundo, indictione tertia, Pii pape quarti anno sexto, in mei notarii publici et testium subscriptorum presentiis personaliter constitutorum: The quhilk day comperit at the castell zet of Drummyne ane honorabill man, Jhone Grant of Fruquhy, and wyth hyme Master Jhone Forsy, Falkland pursefand, hefand ane cherge of the Quenis Magiste to cherge the capitanis, kypearis and wythhaldaris of the said castell of Drummyne, to delyuer the same to the said Jhone Grant of Fruquhy wythin sax howris eftyr thai var chergit, vnder the paine of tresone; quhilk cherge was dewle execut of befoir be the said Master Jhone Forsy, Falkland pursefand, and the said vj howris wyth the mair fullely bypast and owtrowne: Quharefor the said M^r^ Jhone Forsy, in the name of the Quenis Magiste, and conforme to the forsaid cherge, chergit, requirit and commandit the saidis capitanis, kypearis, and wythhaldaris of the said castell, to delyuer the same to the said Jhone Grant; in the quhilk castell thai culd fynd na persone to mak ansour: Quhairfoir the said Jhone Grant of Fruquhy causit leddyr the said castell, and causit his servandis wyth hymselfe enter in the said castell, to be kypeit to the Quenis Magesteis behuff, conforme to the said cherge. Super quibus omnibus et singulis dictus Johannes Grant de Fruquhy a me notario publico subscripto petiit instrumentum seu instrumenta: Acta erant hec apud portam castri de Drummyn, hora vndecima ante meridiem aut eo circa, anno, die, mense, indictione et pontificatu quibus supra; presentibus ibidem, honestis et discretis viris, Patricio Grant de Dalwey, Johanne Grant de Kerrine, Magistro Wilhelmo Grant, et Magistro Johanne Forsy, Falkland pursefand, cum diuersis aliis testibus ad premissa vocatis et requisitis.

Ita est, vt premittitur, dominus Joannes Porter, notarius publicus ad hec, manu propria.

123. Act against stopping the passage of Loch Ness, and against the cutting and carrying off of green wood and growing timber from the woods belonging to John Grant of Grant and others. 17th October 1563.

Actum apud Inuernes, xvij die mensis Octobris, anno Domini millesimo quingentesimo sexagesimo tertio.

The quhilk day, vpon the complaint gevin in [be] Donald M°Ynnes moir vpon William Fraser of Strwye, for stopping, as the said Donald allegit, of the passaige of the Loucht of Ness, and the said Williame his ansuer vpon the samyn, allegeing the woddis pertenyng to him, to my Lord Lowet and the laird of Grant, of the quhilkis he beris chairge, continuallie cuttit, pelit and distroiit be the travelloris vpon the said loucht, and thairupon onlie challengit his awin wod, and sic as he haid chairge of; vpon the quhilk consideratione my Lord and his weill advysit counsale, finding the greit hurt and preiudice doun to the commoun weill be continuall cutting, distroyng and peling of the haill wodis vpon Loucht Ness and thairabout, hes ordanit and statut, and be this present act ordanis and statutis that the passaige of the locht be frie and onstoppit be onye man in tymis cuming, conforme to wse and wont, so that no latt nor impediment be maid heirefttir to onye persone or personis, the Quenis frie legis, passing or repassing on the said loucht: And for awoding of the said destructione of and peling of the saidis wodis, hes ordanit and statut, and be thir presentis ordanis and statutis that fray this day furtht the provest and bailzees of Inuernes, and all vthiris that sall hawe speciall powar off serciarie in the case within expremit, sall arrest and stope all greyne tymmer and bark that salbe broucht within the toun of Inuernes to mercat or zit sauld or to be sauld, frome quhatsumewyr place, or be quhatsumewyr way, on to sic tyme as the bringar of the samyn to the mercat, or vther ways produce to the saidis provest and bailzeis or serciar speciallie deput thaironto ane certificat frome the baroun fray quhome he broucht the said tymmer and bark, vnder his signet and hand writt bering the day and dayt of the selling and cwtting of the said tymmar and bark, and quantitie thairof, to remaine with the saidis provest and bailzeis for thair warrand of the beraris: And failzeing that presentlie with the tymmer or bark the inbringars thairof produce not the said certificat, in that cace that the samyn tymmer and bark be eschetit be the saidis provest and bailzeis and sercearis speciallie deput thaironto, as thay will ansuer vpon thair office vnder all heest payne and charge: And gyf onye person or personis sall by the said tymmer of bark befoir it be declarit be inspectioun of the said certificat be the provest and bailzeis, and serciaris deput thaironto, to be laufull merchandreiss and weill cum geir that it salbe followit and eschetit be provest and bailzeis or sercear foirsaid out of the handis of the saidis byaris, and thai nevir to hawe recurss aganis the sellaris for recouering of thair moneye gyffin thairfor as onlaufull merchandreis and stowin gwdis: And ordanis this present act to be proclamit

euerye mercat day for the space of ane zeire: And becaus the pwir sellaris may pretend ingnorance of the said act, dispensing thairwyth to the first day of Nouembar, and thaireftyr extremlie put to executione as the saidis officiaris will ansuer vpon thair dewetie, and the saidis beraris will avoid the perrell: And for this caus, the saidis provest and bailleis and sercearis foirsaidis to stay all bark and tymmer, that nane pass out of the wattyr, nowcht be schip or boyt, nor zit be transportit be land, onless the boyt of the samyn hawe ane declaratour of the said provest and bailzeis that thai hawe seyne the foirsaid certificat for the tymmer and bark ladin in the said schip or boyt, and the quantitie thairof, vnder thair signet and hand writt: And gyf onye merchand or skippar of this realme sall tak vpon hand, wythout the said declaratour, to laidin his schip or boytt with tymmer and bark, and lowis fray shoyr thairwyth, the gwdis salbe eschetit ather be the officiaris of the said town, or than quhair ewyr thai sall arrywe in onye port or harberye of this realme, and chanlegit be the Quenis Maiesteys sercearis as stowin gwdis etc. Sic subscribitur dictum actum.

JAMES STEWART.

Hec est vera copia principalis et originalis acti, cum eodem in omnibus et per omnia concordans et in nullo discrepans [*etc.*].

Ita est, Martinus Logye, notarius publicus, scriba curie vicecomitatus de Inuernes manu sua.

124. ACQUITTANCE by JOHN EARL OF ATHOLE to JOHN GRANT of Freuchie, for the maills of Clawailge. 28th August 1564.

I, Jhone erll of Athoill and lord of Balwany, etc., grantis me to haif resauit fra the handis of Jhone Grant of Fruquhye the soume of xl ℔. mony, in compleit payment of all meillis and dueties of my landis of Clawailge, with all pertinentis thairof, of this last Witsundaye terme, in the zeir of God ane thowsand fywe hundrethe saxtie and four zeris. Of the quhilk soume of xl ℔. abone wrytine I hald me weill content and pait, dischargeing the said Jhone Grant of Fruquhye thairof for nowe and ewer; togidder with all vther meillis and dueties of all zeris and termis preceding the det heirof, sene the said Jhone Grantis entres to the saidis landis. In witnes of the quhilk I haif subscrywit this my acquittence, at Balwanye, the xxviij daye of August, in the zeir of God ane thowsand fywe hundrethe saxtie and four zeris, befoir thir witnes, Alexander Robertsone in Lacht Walwennych, Jhone Steuart fear of Muren, Allexander Steuart sone to Jhone Steuart of Stuikis, with vtheris dywers. ATHOLL.

125. ACQUITTANCE by SIR JOHN WISCHART of Pettaro, knight, to JOHN GRANT of Freuchie, for the feu-maills of Glenchairny, etc. 20th September 1564.

I, JOHNE WISCHART of Pettarro, knycht, comptrollar to our souerane Lady, be the tennour heirof grantis me to haue resauit fra the handis of Petir Martine, burges of Edinburgh,

in name and behalf of Johnne Grant of Fruchy, the soume of ane hundreth thre scoir tuelf pundis money of this realme; and that for the few mailis of the landis of Vrquhart, Glanchairny and Glenmoreschen, pertening to the said Johnne Grant in fewferme, of the termez of Martimes in the zeir of God j^{m}v^{c} threscoir thre, and Witsounday in the zeir of God j^{m}v^{c} threscoir four zeris: Quhairof I discharge the said Johnne, his airis and assignais, and all vtheris quhom it efferis for euir, be this my acquittance subscriuit with my hand, at Edinburgh, the xx day of September, the zeir of God j^{m}v^{c} thre scoir four zeris.

JHONE WISCHART, comptroller.

Resauit be George Wischart.

126. BOND OF RELIEF by DONALD DOW M^{c}CONEILL M^{c}EWIN of Lochend, Captain of Clan Cameron, to JOHN GRANT of Freuchie. 20th November 1564.

BE IT KEND till all men be thir present letteris, me, Donald Dow M^{c}Coneill M^{c}Ewin of Lochtend, capitane of Clan Camroun, to be bund and obleist, and be the tennour heirof bindis and obleissis me, my airis, executouris and assignais, in maner, forme and effect as eftir followis: Forsamekill as Johnne Grant of Frwchy is becum cautionar and souertie for me to oure souerane lady, and is actit in hir hienes and lordis of secreit counsalis bukis, that I sall entir and compeir befoir hir Maiestie and the said lordis of secreit counsall at sic day and place as thai sall appoint, to ansuer to sic thingis as salbe laid to my charge, vpoun xxx dayis warning nixt eftir the said charge owther to be maid to me or my said souertie, vndir the pane of twa thowsand merkis vsuale money of this realme to be payit to the Quenis Maiestie or hir hienes thesaurare, in cais of my non comperance at the day appointit: And heirfoir I, the said Donald, bindis and obleissis me, my airis, executouris and assignais, to releif and keip skaythlis the said Johnne Grant of Frwchy, his airis, executouris and assignais, of the foirsaid soum of twa thowsand merkis in cais I failze, as God [forbeid,] in the pointis and claussis or ony part thairof contenit in the obligatioun maid to oure souerane lady and actit in the bukis of hir Graces secreit counsall, of the dait at Edinburgh, the thrid day of Nouember, the zeir of God j^{m}v^{c} thre scoir four zeris, thairupoun: Attour, becaus it is notourlie knawin to me, I beand in ward at the making of thir presentis in the toun of Edinburgh, at our souerane ladiis command, and for the . . . of me the said Johnne Grant of Frwchy, my foirsaid cautionar, hes maid grit coistis and expenssis be him self . . . vpoun his seruandis in recovering of my releif, and hes debursit certane sowmis of money in grit . . . for the samyn; for the quhilk I bind and obleis me, my airis, executouris and assignais, be the tennour heirof, to content and pay vther twa thowsand markis money foirsaid in recompensatioun of the expenssis alreddy maid and to be maid be the said Johnne Grant, in cais I, the said Donald, contravene the said obligatioun maid to oure souerane lady of the dait foirsaid; and forder, I, my airis, executouris and assignais, sall abone and by the

haill sovmes abone specifiet, refound, content and pay to the said Jhonne Grant, his airris and assignais, all and syndrie other sovmes, expensis, chairges, damnages and interes, that the said Jhonne, his airris or assignais, sall happin to pay, mak, susteine, deburse or expend in ony maner of vay be the occasioun of his obligatioun foirsaid; and sall releif him and his foirsaidis fullely theranent: And this to be extendit in vberiori forma, promittendo de rato; and is content and consentis that this my obligatioun be insert and registrat in the bukis of the lordis of oure souerane ladiis counsall and sessioun, and decernit be thame to haif the strenth of ane act and decreit of the lordis therof, and letteris and executoriallis to be direct therupoun in forme as efferis; and for acting and registring heirof, makis, constitutis and ordanis maisteris Alexander Skene and ilk ane of thame, coniunctlie and seueralie, my procuratouris, to compeir befoir the saidis lordis, and thair to consent to the registring heirof: In witness of the quhilk thing, I, the said Donald Dow, hes subscriuit thir my letteris obligatouris with my hand, in maner following, at Edinburgh, the twenty day of Nouember, the zeir of God j^{m}v^{c} thre scoir four zeris; befoir thir witnesses, Maister Johnne Spens, burges of Edinburgh, Maistir Williame Grant, Maistir Gilbert Grote and Allane Makewin, with vtheris diuers.

DONALD DOW M^{c}CONEILL M^{c}EWIN of Lochend, with my hand at the pen led be the notar vnderwrittin at my request, because I can nocht write.

Ita est, Magister Gilbertus Grote, notarius publicus, de mandato dicti Donaldi Dow ad premissa requisitus manu propria scripsit.

127. PRECEPT by WILLIAM LESLIE of Balquhan, to infeft JOHN LESLIE, his son and heir, and ISOBEL GRANT, his future spouse, in the lands of Auchlyne, etc. 16th February 1564.

WILLELMUS Leslie de Balquhen, dilectis meis Jacobo Leslie, burgensi de Abirdene, et eorum cuilibet, coniunctim et diuisim, balliuis meis in hac parte specialiter constitutis, salutem: Quia dedi et concessi dilecto Joanni Leslie, filio meo et heredi apparenti, et Issobelle Grant, sue sponse future, secum in coniuncta infeodacione, et pro toto tempore vite eiusdem, et heredibus masculis inter eos legitime procreandis, quibus deficientibus, legitimis et propinquioribus heredibus masculis ipsius Joannis quibuscunque, omnes et singulas terras meas de Auchlyne, Talzeauch, Blairdynnie alias lie Hauch de Bogy nuncupato, cum earundem pendiculis et pertinentiis, iacentes infra schiram de Clat, regalitatem de Garreauch, et vicecomitatum de Abirdene, prout in carta mea eis desuper confecta plenius continetur: Vobis precipio doque in mandatis, quatenus vos seu alter vestrum accedatis seu accedat ad predictas terras de Auchlyne, Talzeauch, et Blairdynnie alias lie Hauch de Bogye nuncupato; et

ibidem saisinam, statum et possessionem hereditariam, realem, actualem et corporalem huiusmodi terrarum cum pertinentiis, dictis Joanni Leslie et Issobelle Grant sue sponse future secum in coniuncta infeodacione, et pro toto tempore vite eiusdem, per terre et lapidis traditionem et deliberationem fundi earundem, ac lie thak et raip, vt moris est, aut eorundem procuratoribus seu procuratori, latoribus seu latori presentium, secundum tenorem dicte carte mee, tradatis et deliberetis, seu alter vestrum tradat et deliberet; saluo iure cuiuslibet: Et hoc nullomodo omittatis: Ad quod faciendum, vobis et vestrum cuilibet, coniunctim et diuisim, meam plenariam et irreuocabilem tenore presentium committo potestatem: In cuius rei testimonium, presentibus manu mea subscriptis sigillum meum est appensum, apud Ballachastell, decimo sexto die mensis Februarii, anno Domini millesimo quingentesimo sexagesimo quarto; coram testibus, Joanne Leslie de Parkhill, Magistro Alexandro Leslie de Edinbille, Patricio Grant de Dalwey, Jacobo Leslie burgensi de Abirdene, et Magistro Andrea Leslie, rectore de Fettirneir, notario publico, cum diuersis aliis.

V. Leslye of Ballqhen v^t^ my hand.

128. Discharge by Mary Queen of Scots of a Bond by John Grant of Freuchie to present Donald Dow M^c^Ewin of Locheil before the Council. 29th June 1565.

Apud Dunkeld, vigesimo nono die mensis Junii, anno Domini millesimo quingentesimo sexagesimo quinto.

The Quenis Majestie vnderstanding that Johnne Grant of Frewchy, be his letteris obligatouris actit and registrat in the buikis of secrete counsell, is oblist and astrictit to enter and present Donald Dow M^c^Ewin of Locheyle, capitane of Clanchamroun, befoir hir hienes and lordis of secrete counsell vpoun thretty dais warnyng, quheneuir he salbe requirit, vnder certaine pecunial panys specifeit in his band and obligatioun, as the same at mair lenth beris: Nochtwithstanding, for certane occasiones moving hir, [hir] Majestie dischargis the said band and obligatioun and all pane and dangeir thairin contenit; and attour, ordanis the secretair and his deputis, kepars of the buikis of secrete counsell, to registrat and insert thir presentis thairin ad perpetuam rei memoriam. Extractum de libro actorum secreti consilii per me, Alexandrum Hay, deputatum clerici eiusdem, sub meis signo et subscriptione manualibus. Alexander Hay.

129. Signet Letters charging the Clanchattan and Clankenzie to assist John Grant of Freuchie against the incursions of the Clanranald and Clancameron. 1st March 1567.

James, be the grace of God King of Scottis, to oure louittis messingeris, oure schireffis in that part, coniunctlie and seueralie, specialie constitute, greting: Forsamekill as it

is humelie menit and schawin to ws be oure louit Johne Grant of Frewchy, that quhair he hes the landis of Vrquhart and Glenmoreistoun with thair pertinentis perteining to him in fewferme heretable haldin of ws, as his infeftment thairupoun proportis; and as he is credible informit diuers wikkit personis of the Clanrannald and Clanchamroun, conspyrit and confiderat togidder, intendis schortlie to mak incursionis vpoun the said Johnnes landis, and to burne, herrie and destroy his pover tenentis and inhabitantis thairof, quhairthrow the samyn salbe all laid waist and desolat, nocht onelie to his greit skayth and dampnage, bot to the hurt and detriment of ws, the saidis landis being of oure propirtie, quhilkis being heriit and laid waist, we will want the few males thairof: Quhilkis lymmaris and wikkit personis nochtwithstanding wer na thing abill to execute thair malice and crueltie, gif the greit men and clannis adiacent to the saidis landis wald concur with the said Johnnes tenentis to thair defence quhen thai ar inuadit, as thai on na wayis will without compulsioun: Our will is heirfoir, and we charge zow straitlie and commandis that, incontinent thir oure letteris sene, ze pas and in oure name and authoritie command and charge Lauchlane Makyntosche of Dunnachtane and Kenzeoch M^cKenzie of Kintaill, and all vtheris of the Clanchattane and Clankenzie, that thai, at all tymes quhen the said Johnne Grantis landis foirsaidis salbe inuadit or persewit be the saidis lymmaris and wikkit personis, ryis, pas furthwart, and defend the same with all possibill diligence, and na wayis suffer nor permit the samyn landis nor his tenentis dwelland thairon to be oppressit, sornit, heriit, brynt or distroyit be thame, as thai will ansuer vpoun thair dewitie and obedience to ws; with certificatioun to thame, and thai be fund remysse or negligent thairin, they salbe repute, haldin, callit and persewit as partakeris, fortefearis and manteinaris of the saidis lymmaris and wikkit personis in thair crueltie and evill deidis, and salbe pvneist thairfoir na vtherwayis nor gif thai had committit the crymes thame selffis in thair awin propir personis; according to iustice, as ze will ansuer to ws thairupoun: The quhilk to do, we commit to zow coniunctlie and seueralie our full power be thir oure letteris, deliuering thame be zow dewlie execute and indorsat agane to the berare. Gevin vnder oure signet, at Edinburgh, the first day of Marche, and of oure regnne the first zeir, 1567.

Ex deliberatione dominorum secreti consilii. A. Hay.

130. Contract of Marriage between Robert Munro, younger of Fowlis, and Barbara Grant, daughter of John Grant of Freuchie. 16th November 1568.

At Fores, the xvi day of November, the zeir of God ane thowsand fyf hundreth sextie awcht zeris, it is contractit and fynallie apponctit and endit betuix rycht honorabill persones, that is to say, Jhone Grant of Frewchie, for him selfe, and in name and behalf of Barbara Grant, his dochtir, on that ane part, and Robert Munro of Fowllis for him selfe,

and takand the burding on him for Robert Munro, his son and apperand ayre, on the wther parte, in maner following; to wit, the said Robert Munro of Fowllis sall caus the said Robert, his son and apperand ayre, solempnizat and compleit the band of matrimonye with the said Barbara betuix the dait heirof and Fastrene Ewin nixt to cum, and sall dewlie infeft the said Barbara in the landis and fischingis respectiue onderwretin, be plane chartour of alienation or resignation in the superiouris handis thareof, in fawouris of the said Barbara and the ayris to be gottin betuix her and the said Robert, son and apperand ayre forsaid; quhilkis failzeing, the saidis Robertis ayris quhatsumeuir; to be haldin of the superiouris of the landis and fischingis wnder wretin, in few and heritage respectiue, as the said Robert haldis the same at this present; that is to say, all and haill the landis of Fyndone, with the ailhous, pendikillis and pertinentis of the same wsit and wont, lyand within the lordschip of Ardmanoche and schireffdome of Inuerness; all and haill the landis of Inuerawin, Lynschetcroy, with the pertinentis, with the myll, ailhous of the same, togidder with the haill half salmond fisching apon the watter of Schyn, lyand within the schirefdome forsaid; togidder with the haill toun and landis of Lymlare, with the pendikillis and pertinentis of the same, lyand within the barrony of Ferndonell and bisschoprik of Ross, with ane cobill salmond fisching wpon the watter of Kylis Ochell, betuix the dait heirof and the feist of the natiuitie of our Lord callit Zuill nixt to cum, frie, but pament of ony deuatie; to the quhilk the said Robert Munro of Fowllis oblisis him thareto during the said Barbarais lyftyme, wpon the said Robertis expensis: Prowyding alwayis, gif the saidis landis and fyschingis respective forsaidis extendis nocht in zeirlie pament in maill ferme and dewatie to the sowme of ane hundretht pundis wsuall money of this realme, in that cace the said Robert Munro of Fowllis bindis and oblisis him and his ayris to dewelie infeft the said Barbara in sa mekill land, with the landis and fischingis forsaidis, that sall pay zeirlie, frie, the sowme forsaid: For the quhilkis premissis to be done in maner forsaid, the said Jhone Grant of Frewchie bindis and oblisis him, his ayris, executouris and assingnais, to ryallie with effect content and pay to the said Robert Munro, his ayris, executouris or assingnais, the sowme of sewintene hundretht and fyftie merkis wsuall money of this realm, in maner following; that is to say, nyne hundretht merkis money forsaid at the completing of the said band of matrimony, and the remanent sowme of awcht hundretht fyfty merkis money abone wretin within zeir and day nixt eftir the completing of the band of matrimony abone spesifeit: And for the mare securitie of the fulfilling of this present contract, bayth the saidis parteis ar contentit the same be registrat and insert in the buikis of cunsall and commissaris of Mwrray respectiue, thare to haue the strenth of thare decreit and auctoritie interponit heirto; and to that effect, the said Jhone for his parte hes maid, constitutt and ordanit Maister Alexander Skeyne, William Gaderar burges of Elgyn; and the said Robert Munro of Fowllis for his part hes maid, constitut and ordanit Maisteris John Abercrommy, Maister Martene Logye, thare procuratouris respectiue, coniunctlie

and seuerallie, to compeir before the lordis of cunsall and commissar forsaid, quhatsumeuir day and place conwenient and oportwne, and thare respectiue and successiue in thare namis to consent to the registreing and inserting of this present contract in the buikis respectiue forsaidis; and the saidis parteis, in the persones of thare saidis procuratouris, coniunctlie and seueralie abone rehersit, to be ackit for fulfilling of this present contract sa far as concernis athir of thame [to] fulfill to wther, wnder the pane of punding and horning at the will of aythir of the saidis parteis, and executoriallis to pas heirwpon in form as efferis: In witnessing heirof the forsaidis parteis hes subscriuit this present contract with thare handis, day, zeir, and place abone wretin; before thir witnes, Alexander Dunbar of Cumnok, knycht, Robert Leslie of Artherseir, James Dunbar of Tarbaitt, Patrik Grant of Dalwey, Gawein Dunbar, persone of Roskein, and George Dunbar, persone of Kilmwre, with wtherris dywers.

Johne Grant of Fruquhye.
Robart Munro of Foulis.

131. Obligation by Patrick Grant of Balnadalloch to John Grant of Freuchie, to give a Bond of Manrent on his entry to the lands of Balnadalloch. 23d February 1568.

Be it kend till all men be thir presentis, me, Patrik Grant of Ballnadallach, for diuerss and sindrie profittis and commoditeis resauit be me fra the handis off ane rycht honorabill man, Johne Grant off Fruquhy, and otheris resonable caussis moving me heirto, to be bunden and obleist, and be the tenour heiroff faythfullie bindis and obleisis me and my airis, that quhat tyme or quhousone it sall happin me and my airis to be entrit in and to the landis off Ballnadallach with [thair] pertinentis be the said Johne or his airis, superiouris off the samen, than incontinent, I or my airis sall giff and deliuer ane sufficient band off manrent, with all claussis necessar, to the said Johne or his airis, thair sufficient band off manteinans being deliuerit to ws, conforme to the said band off manrent: And the saidis bandis, in all tymes cuming, to be renewit at the desyir off the said Johne or his airis, the tyme off the entres off the airis of Balnadallach to the same, be the said Johnes airis forsaidis: And giff this obligatione be not sufficient to the effect forsaid, I bind and obleiss me and my airis to reforme the same ay and quhyll it be sufficient be the aduys of men off vnderstanding: And is contentit that the same be registrat in the commissariat buikis off Elgin, with executoriallis to pas thervpoun, in forme as efferis: And to that effect, constitutis Schir Johne Gibson, Johne Annand, and William Gaderar, coniunctlie and seueralie, my procuratouris, to compeir befoir the said commissar for registring the same, as accordis: In vitnes off the quhilkis, I haiff subscryvit this my obligatione with my hand, at Ballachastell, the xxiij day off Februar, the zeir of God mv^{c} saxte and aucht zeris, befoir thir vitnes, honorabill men, M^{r}

George Gordoun off Beldorny, James Blakater off Tillcallen, Duncan Grant in Garthin, John Grant in Kynbeathe, and M^r^ Archibald M^c^Gregour, with otheris diuerss.

PATRIK GRANT of Ballnadallach.

132. SUBMISSION AND OBLIGATION by JOHN GRANT of Freuchie to the REGENT MURRAY. 7th June 1569.

Apud Aberdene, septimo Junii, anno Domini j^m^v^c^lxix^o^.

THE QUHILK day Johnne Grant of Freuchquhy gave in thir offerris vnderwrittin, quhilkis my Lord Regentis Grace ordanit to be registrat in the buikis of Secreit Counsall; of the quhilk the tennour followis: Thir ar the offirris of me, Johnne Grant of Frewchquhy, to my Lord Regentis Grace, quhilkis being accomplisit be me, I humelie desyir mercie and pardoun, in forme as followis: In the first, I sall acknawlege and confes the maist excellent and mychtie prince, James the Saxt, be the grace of God King of Scottis, as my vndouttit and onlie souerane, his hienes authoritie and lawes, and the regiment establishid in the persone of my Lord Regent during his hienes minoritie, I sall serue and obey as becummis a detfull subiect, and heirvpoun sall gif my solempnit ayth and subscriptioun manuall: Item, forsamekill as the erle of Huntlie hes taikin vpoune him, for him self and his partakeris, to satisfie all persones hurt or skaithit in thair gudis be him or his saidis partakeris, fra the first day of August anno 1568 to the last day of Marche 1569 instant, that thay sall haif na iust occasioun of complaint, neuirtheles, I sall satisfie all persones duelland be west Spay for all gudis taikin fra thame be me or my kin or seruandis during the said space, lyik gudis and quan[ti]tie. Item, I for my self and in name of my haill kin and freindis of my surname, and vtheris my tennentis and servandis, promissis to behave our selfis as faythfull and obedient subiectis to our souerane lord, his regent and authoritie, in tyme cuming, and sall keip gud reull and quietnes, vnoffending aganis his lawis or making trubill and insurrectioun heireftir: And gif ony of my kin will not obey me in this behalf, I sall vpoun my Lord Regentis poweris to be gewin, owther deliuer or present thame to the iustice, or than put thame out of the cuntrey: Item, for obseruatioun and suir keping of all and sindrie the premissis, I sall owther entir my secund sone, or Patrik Grant of Davey, to remane as pledge with his Grace in sic place, and for sic space, as he sall think convenient: Thir thingis being accomplessit and fulfillit be me, I humelie crave remissioun to my self and haill persones of my surname and tennentis, vnlandit or beneficit and nocht duelland vpoun my Lord Regentis proper landis, for all crymes committit be ws sen the xi day of Junij 1567 to the dait heirof (idolatrie, wichecraft, incest, adulterie, murther, slauchter, fire raising, rewesing of wemen, thift, and resait of thift exceptit). Sic subscribitur, Johne Grant of Freuchquhy. Extractum de libro actorum Secreti Concilii, S. D. N. Regis per me Johannem Andro, deputatum clericum eiusdem, sub meis signo et subscriptione manualibus.

JOHNE ANDRO, scrib heirto.

133. Precept for a Remission to John Grant of Freuchie and others, for accession to the Earl of Huntly's rebellion. 3d July 1569.

Oure Souerane lord, of his speciall grace and mercy, with auise and consent of his dearest cousing, James erll of Murray lord Abirnethie, Regent to his Hienes, his realme and liegis, ordanis ane remissioun to be maid vnder the greit seill, in dew forme, to Johnne Grant of Frewchy, Patrik Grant of Ballindalloch, Patrik Grant of Davey, and James Grant of Kinkirdie, for thair tressonabill taking of armes and cuming to the feildis with displayit baneris in cumpany with George erll of Huntlie lord Gordoun and Badzenoch, aganis our said souerane lord and his authoritie, at the Hauch of Mekillour, burrowis of Inuernes and Abirdene, and at the landis of Fetteresso; for inuasioun and persute of his Maiestie, his authoritie, and the regiment of this realme establissit in the persoun of his said dearest cousing, in the monethis of August, October, December and Marche last bipast; and for all actioun and cryme that may be imput to thame or ony of thame thairthrow; and for all vtheris actionis, tressonis, crymes and transgressionis quhatsumeuir committit be thame or ony of thame, fra the xi day of Junii, the zeir of God j^{m}v^{c} thre scoir sevin zeris to the day and dait heirof (ydolatre, wichecraft, incest, adultre, murthour, fyre rasing, slauchter, revesing of wemen, thift and recept of thift, streking of fals cunze, or inbringing and distributioun thairof amangis the liegis, and slauchter of reid fische allanerlie except); and that the said letter be extendit, and preceptis to be direct ordourlie heirupoun, with extensioun of all claussis necessar. Subscriuit be our said soueranis dearest cousing and regent, at Aberdein, the thrid day of Julii, the zeir of God j^{m}v^{c} thre scoir nyne zeiris.

James Regent. gratis. Ro^{tus} the^{ius}.

134. Composition and Remission by King James the Sixth to John Grant of Freuchie and his clan. 9th July 1569.

Componitur pro remissione supremi domini nostri Regis cum Johanne Grant de Freuchy, Patricio Grant de Culcabaik, Johanne Grant in Tullochgorme, Duncano Grant de Eister Elloquhy, Johanne Grant in Kinvequhy, Alexandro alias Alester Grant in Daichcarne, Patricio Grant in Tulloche, Jacobo Grant in Aichkernik, Alexandro Grant in Inuerrurie, Jacobo Grant in Camedull, Patricio Grant in Glenloquhy, magistro Willelmo Grant in Moirnythie, Johanne Grant in Laitdaych, Johanne Grant in Inuerloquhy, Willelmo Grant ibidem, Alexandro Grant in Gartell, Patricio Grant in Glenboig, Willelmo Grant in Auchnaro, Archibaldo Grant in Dalcullye, Patricio Grant in Fones, Alexandro alias Alester Grant in Glenloquhy, Gilberto alias Gibbone Grant in Avilochtane, Johanne Grant in Cwrie, Johanne Grant in Gellavie, Alexandro alias Alester Grant in Mirkariche, Nigello Grant in Monkcowrth

Johanne Grant in Dragchie, Jacobo Grant ibidem, Johanne Grant in Wester Dalculloch, Willelmo Grant in Brodland, Paulo Grant in Calladour, Paulo Grant in Over Cowgles, Donaldo Grant in , Andrea Grant in Claytak, Andrea Grant in Achnarrovoir, Johanne Grant in Vuer Finrek, Johanne Grant in Glencougles, Patricio Grant in Glenardour, Duncano Grant in Fodderledder, Duncano Grant in Drummownlie, Willelmo Grant in Leitdarecht, Johanne Grant in Dalrachye, Johanne Grant in Arthindullye, Alexandro alias Alester Grant in Rowmoir, Johanne Grant de lie Bray de Vrquhard, Johanne Grant in Gartallie, et Alexandro alias Alester Grant in Vrquhart; pro eorum proditoria armorum bellicorum sumptione, et ad campos, vexillis distentis, in societate et contubernia cum Georgio comite de Huntlie domino Gordoun et Badzenoch, etc., deuenientia contra dictum supremum dominum nostrum Regem et ipsius autoritatem ad lie Hauch de Mekillour, burgos suos de Inuernes et Abirdene, et ad terras de Fetheresso, pro sui ipsiusque autoritatis et regiminis regni sui, in personam charissimi sui consanguinei Jacobi Morauie comitis domini Abirnethie, etc., ipsius serenissime Maiestatis regnique sui ac liegiorum suorum Regentis, inuasione et prosecutione, in mensibus Augusti, Octobris, Decembris, et Marcii vltimis elapsis; et pro omnibus actione et crimine que eis ob idem imputari aut sequi poterint; ac pro omnibus aliis actionibus proditorie traditionis, criminibus et transgressionibus quibuscunque, per ipsos a vndecimo die mensis Junii, anno Domini j^{m}v^{c}lxvij^{o} vsque ad diem date presentium commissis seu perpetratis; idolatria, incantatione, incestu, adulterio, murthuro, incendio, homicidio, mulierum raptu, furto, furti receptione, monete fabricatione, adulterate monete infra hoc regnum importatione, ac eiusdem monete intra legios eiusdem sparsione et distributione, ac rubeorum piscium interfectione duntaxat exceptis. Subscriptum per dominos commissarios, apud Abirdene, nono die mensis Julii, anno Domini j^{m}v^{c}lxix^{o}.

Gratis ex mandato domini Regentis, etc.

Ro^{tus} the^{ius}.
Dunfermling.
Balmerinacht.
J. Cl^{s} Reg^{ri}.
Pettaro.
Ballquhen.

135. Commission of Justiciary to John Grant of Freuchie and Duncan Grant his son, for the trial of George M^{c}Yntagart and others. 16th August 1569.

James be the grace of God King of Scottis, to all and sindry our liegis and subdittis quhome it efferis, quhais knawlege thir oure letteris sal to cum, greting: Forsamekill as we and oure dearest cousing, James erll of Murray, lord Abirnethie, regent to ws, our realme and liegis, vnderstanding that George M^{c}Yntagart, Johnne Glass M^{c}Lauchlan Roy alias Lawrioch, and Donald M^{c}Gillepatrik M^{c}Thomas alias Testemen, with thair complices, in the monethis

of October and Februare last bipast, tressonabillie rasit fyre, committit slauchteris, reiffis and oppressionis, vpoun diuerss our trew liegis on the ground and landis of Rothymurcus and Glencharnych, within our schirefdome of Inuernes; for the quhilkis being callit to vnderly our lawis, in default of finding of souertie, wes denunceit our rebellis and put to our horne; and being laitlie tane and apprehendit be our weilbelouittis Johnne Grant of Frewchy and Duncane Grant, his sone and apperand air, thay on na wayis may do iustice vpoun thame conforme to thair demeritis without our power and commissioun had thairto: Thairfoir to haif gevin, grantit and committit, and be thir our letteris with auise and consent foirsaid gevis, grantis and committis, to the saidis Johnne and Duncane, and ilk ane of thame, coniunctlie and seueralie, oure full power, speciall command and charge, court or courtis of iusticiarie within the boundis of our schirefdomes of Inuernes, Elgin and Fores, or ony of thame, to set, begin, affirme, hald and continew, and as the foirsaidis personis our rebellis, tane and apprehendit, as said is, beis fundin culpabill or innocent, to minister iustice vpoun thame conforme to the lawis of oure realme; and to that effect, assyiss ane or ma within the saidis boundis and four half about to summond; clerkis, seriandis, dempstaris, and all vtheris officiaris and memberis of court neidfull, to mak, creat, substitute and ordane, for the quhilk thai salbe haldin to ansuer; and generallie, all and sindry vtheris thingis to do, exerce and vse, that in the premissis is necessarlie knawin to pertene: Ferme and stabill haldand and for to hald all and quhatsumeuir thingis oure saidis commissionaris and ilk ane of thame, coniunctlie and seueralie, lauchfullie leidis to be done in the premissis: Prouiding that thai report the proces to be led vpoun ilk persoun within twa monethis nixteftir thai be execute to oure justice clerk or his deputtis: Attour, we gif and grant oure full power to the provest and baillies of Elgin to tak the aythis of the saidis Johnne and Duncane for dew and lauchfull administratioun and vsing of this commissioun. Gevin under oure signet and subscriuit be oure said dearest cousing and regent, at Sanctandrois, the xvi day of August, and of oure regnne the thrid yeir, 1569. JAMES REGENT.

Curia burgalis burgi de Elgin tenta in pretorio eiusdem per honorabiles viros Joannem Annand, prepositum dicti burgi, et Jacobum Gardin, vnum balliuorum eiusdem burgi, secundo die mensis Septembris, anno Domini millesimo quingentesimo sexagesimo nono; sectis vocatis, curia fensata et rite affirmata.

The quhilk day comperit ane rycht honorabill man, Duncan Grant, sone and apperand air to ane rycht honorabill man, Jhone Grant of Frewchy, and thair judicially presentit thir letteris within wreittin to the provest and bailze abone specifeit, desyring tham and ilk ane of thame to resaue his ayth of fidelity, conform to the tennour of the said letteris and thair commissioun derectit thairinto: Quhilkis provest and bailze resauit with detfull reuerence the said letteris, and causit reid the samyn; quhilkis being done, causit the said Duncane Grant, apperand air foirsaid, to mak his ayth of fidelity for leill and faythfull administratioun

of justice, conform to the tennour of the commissioun within wrettin derectit to him thairupon: Quha being sworne in maner foirsaid, and his ayth of fidelity resauit, as said is, the foirsaid Duncane Grant desyrit act of court and instrument at me, notar publick vnder wrettin, and commond court clark of the said brugh of Elgin; befoir thir witnes, Jhone Hay in Allanboy, Farchar Robertson in Allachy, Jhone Ruthirfuird, William Zoung and Thomas Kar, burgessis of Elgin, with vtheris dyueris.

Ita est, Vilhelmus Hay, scriba curie burgalis burgi de Elgin, notariusque publicus in premissa requisitus per prefatum Duncanum Grant, manu propria asseruit.

136. Discharge by William Douglas of Lochleven to John Grant of Grant. August 1569.

I, William Dowglas of Lochleuin, granttis me to haue ressauit fra the [handis] of ane honorabill man, Johne Leslie of the Newtoun, in name and behalf of the laird of Grant, the sowme of ane hundreth thre scoir twelf pundis money, quhilk the said laird of Grant wes assignit to hawe payit me quhen the Queine wes heir in Lochlewin: Off the quhilk sowme of ane hundreth thre scoir twelf pundis I hald me weill content and payit, and dischargis the said Laird of Grant and Johne Leslie thairof, and all vtheris, as effeiris, be this my acquittance subscriuitt with my hand at Loch[leuin] the day of August 1569.

Williame Douglas of Lochleuin.

137. Commission of Justiciary to Alexander Dunbar of Cumnok, knight, and others, for the trial of Alexander M^cAllan, etc. 10th September 1569.

James be the grace of God King of Scottis, to all and sindry our liegis and subdittis quhome it efferis, to quhais knawlege thir oure letteris sal tocum, greting: Wit ze ws to haif maid, constitute and ordanit, and be thir oure letteris, with auise and consent of our dearest cousing, James erll of Murray lord Abirnethie, Regent to ws, our realme and liegis, makis, constitutis and ordanis our weilbelouittis Alexander Dunbar of Cumnok, knycht, our schiref of Elgin and Fores, Robert Dunbar of Durris, and James Dempstar of Auchtirles, schiref depute of Banff, and ilk ane of thame, coniunctlie and seueralie, oure verie lauchfull and vndoutit iustices in that part, to the effect vnderwrittin: Gevand, grantand and committand to thame our full power, speciall command, expres bidding and charge, court or courtis of iusticiarie within the boundis of our schirefdomes of Elgin, Fores or Banff, or ony of thame respectiue, at quhatsumeuir part or place thairof, to set, begin, affirme, hald and continew; and in the samyn court or courtis Alexander M^cAllan, Angus Dow Makgregor alias Busdow, Duncan M^cConan, Johne M^cConnoquhy M^cVrahatar, delaitit of fyre rasing, murthour, slauchter,

thift, resset of thift, commoun sornyng and vtheris crymes and offencis committit be thame, to put to the knawlege of ane assyis for the saidis crymes, and as thai be fundin culpabill or innocent, to minister iustice vpoun thame conforme to the lawis of our realme; clerkis, seriandis, dempstaris, and all vtheris officiaris and memberis of court neidfull, to mak, creat, substitute and ordane, for quhilk thai salbe haldin to ansuer; assyis ane or ma dwelland within the boundis of our saidis schirefdomes and four half about, leist suspect and that best knawis the veritie, to sufficient nowmer, ilk persoun vnder the pane of xx li., to summond, warne, cheis, and caus be sworne; and generallie all and sindry vther thingis to do, exerce and vse, that for accomplissing of the premissis is necessarlie knawin to pertene: Ferme and stabill haldand and for to hald all and quhatsumeuir thingis our saidis iustices, coniunctlie and seueralie, in the premissis lauchfullie ledis to be done: And that thai bring and present the proces to be led heirupoun to our iustice clerk or his deputtis within the space of twa monethis eftir the dait heirof: Attour, we gif and grant oure speciall power to the provest and baillies of Elgin, Fores and Banff, or ony of thame, coniunctlie and seueralie, to tak the ayth of our saidis iustices for dew administratioun of iustice, according to this our commissioun. Gevin vnder oure signet and subscriuit be oure said dearest cousing and regent, at Edinburgh, the tent day of September, and of our regnne the thrid zeir, 1569.

JAMES REGENT.

138. CONTRACT between DONALD M^CCALLAN M^CEWIN and JOHN M^CCALLAN M^CANE and others. 4th April 1570.

AT DAOCHMOLOWAK in Strathpeffir within the erldome of Ross, the fowrt day of Aprile, in the zeir of God ane thowsand fyve hundreth and saxte ten zeris, it is appointit, agreit and finalie endit betuix honorabill and discreit persons, Donald M^CCallan M^CEwin in Mammoir in Lochchabir on that ane part, and Jhone M^CCallan M^CAne in Lochchabir, Alexandir his bruder thair, Martein M^CConoche Ekmartein thair, Jhone Dow M^CAne Ekane thair, Johne M^CNeill Ekane Ekcorilla thair, on the vthir part, in forme and effect as eftir follows: That is to say, the saidis Jhone M^CCallan Ekane, Alexander his bruder, Martein M^CConoche Ekmartein, Jhone Dow M^CAne Ekane, Jhone M^CNeill Ekane Ekcorilla, with thair freindis, seruandis, assisteris and parttakaris, sall fortife, mantein and defend the said Donald M^CCallan in all and haill his efferis, querelis, and actionis, as he has ado contrar all mortale, the authoritie being exceptit onlie; and in lyke maner, the said Donald with his freindis, seruandis and assisteris and parttakaris sall fortife, mantein and defend the saidis Jhone M^CCallan M^CAne, Alexander his bruder, Martein M^CConoche, Jhone Dow and Jhone MacNeill, thair freindis, seruandis, assisteris and parttakkaris contrar all mortale, the authoritie being exceptit; and sall tak anfald part with vtheris contrar all mortale, being exceptit that is exceptit, ay and quhill tha haiff ane lauchfull cheif, tutor or curator, quha sall haif the steir

and guuernance of thair cuntray of Lochchabir, to the quhilk cheif, tutor or curator, tha are bayth contentit to obey: And for obseruyng, keping and fulfilling of bayth the partes, bayth the parteis ar swarne to stand ferme and stable in keping of the premissis. In witnes heirof the parteis hinceinde has subscriuit this present writt with thair handis led at the pen be the notar onderwrittin, as eftir followis, day, zeir and place aboune writtin; befoir thir witnes, honorabill and discreit men, Rore M°Alexander of Borrodill, Jhone Dingwell apperand of Kyldoin, Hector M°Alexander, Johne Reowch M°Lachlan Ekcallan, James M°Callan, Alexander Wrquhart, seruandis to M°Kenze, with vtheris diuers.

DONALD M°CALLAN M°EWIN, with my hand on the pen led on the pen be the notar onderwrittin at my command.

JHONE M°CALLAN M°ANE, with my hand led on the pen be the notar onderwrittin at my command.

ALEXANDER M°CALLAN M°ANE, with my hand led on the pen be the notar onderwrittin at my command.

MARTENE M°CONOCHE M°MARTEIN, with my hand led on the pen be the notar onderwrittin at my command.

JOHNE DOW M°ANE EKANE, with my hand led on the pen be the notar onderwrittin at my command.

JHONE M°NEILL ECANE ECCORLLA, with my hand led on the pen be the notar onderwrittin at command of me.

Ita est, magister Alexander Mackenze, notarius publicus, per dominos consilii de nouo admissus, requisitus in premissis, manu sua de mandato ambarum partium scripsit.

Hec est vera copia principalis, nil mutando aut reformando quod rei substantiam mutare poterit, copiata et collationata per me, magistrum Alexandrum, notarium publicum, predictum.

Ita est, magister Alexander M°Kenze, notarius publicus, in premissa requisitus, manu sua scripsit.

139. BOND by COLIN M°KENZIE, apparent of Kintail, to assist JOHN GRANT of Freuchie against the Clanrannald, etc. 27th July 1570.

BE IT KEND till all men be thir presentis, me, Collene M°Kenze, sone and apperand air to vmquhile Kennoch M°Kenzie of Kintaill, for proximitie of blude, luf, kindnes and gude deid, done to me be ane honorabill man, Johne Grant of Fruquhy, to be bound and oblissit, and be the tennour heiroff bindis and oblissis me and my airis to ane honorabill man and my

beluffit freind, Johne Grant of Fruquhy, be the fayth and trewth of my body, that I and my airis be oure selffis, kyn, frendis and allya and part takaris, sall assist, fortifie, manteine and defend the said Johne Grant of Fruquhy, his airis, his and thair kyn, frendis and heretage contrar the Clanrannald and all vtheris quhatsumeuir that sall happin to molest, inquiet, distrubill or persew the said Johne Grant of Fruquhy or his airis, his and thair frendis, kyn and heretage, rowmes and possessionis, by the law and by the ordour of the auctorite, and tak plane part with him and his airis thairintill contrar all mortall, the auctorite and my lord of Adholie allanerlie exceptit, and sall keip to him and his airis sik vther promessis as I haue maid to him at the making heiroff, in presens of his and my frendis, vnder the panis of periure, infame and inhabilitie and violatioun and brekin of my honour and lawtie. In witnes of the quhilk I haiff subscriuit thir presentis with my hand, at Elgin, the twenty sevint day of Julii, the zeir of God ane thowsand five hundretht threscoir ten zeiris, befoir thir witnes, honorabill men, Walter Vrquhart, schirreff of Cromertie, Murdo M^cKenzie of Fairburn, Alexander Bayn of Tulloch, Patrick Grant of Dalwey, Duncan M^cCondathie Grant in Gartinbeig.

COLYNE M^cKENZE of Kyntaill.

140. CONTRACT between JOHN GRANT of Freuchie and ANGUS M^cALESTER, son of ALEXANDER M^cKEANE of Glengarrie, for the marriage of DONALD M^cANGUS M^cALESTER and HELEN GRANT, etc. 17th November 1571.

AT ELGIN, the sewintene daye of Nouember, the zeir of God j^m v^c threscoir alewin zeiris, it is appoynttit, concordit and finallie endit and aggreit betuix ane honorabill man, Jhone Grant of Frewquhy on that ane part, and Angus M^cAlestir, sone and air to vmquhill Alexander M^cKeane of Glengarrie, on that vther part, in maner, forme and effect as eftir followis: That is to saye, the said Angus M^cAlestir takand the burding in and vpone him of Donold M^cAngus M^cAlestir, his sone and apperand air, bindis and oblissis him to caus the said Donold, his sone, solempnizat and compleit the band of matrimonye, in face of halie kirk, with Helene Grant, lauchfull dochter to the said Jhone Grant of Frewquhy, betuix the daye and dait of thir presentis and the feist of Sanct Jhone the Baptist, callit Midsymmer, nixt eftir the dait of the samyn; and sall infeft the said Donold and Helene Grant in coniunct infeftment in all and haill the landis of the halfe dawache of Reragie in Lochcaliche, the halfe dawache of Auchynhunneth lyand thair, the halfe dawache of Edderracharran in Lochcarran, the halfe dawache of Achdallie in Lochcarran, with thair salmound and hering fischingis, with thair partis, pendiculis and pertinentis, lyand within the scherrefedome of Inuernes, to be haldin of our souerane, superiour of this realme, according to the tennour of the auld infeftmentis grantit to the predicessouris of the said Angus, lairdis of Glengarrie, and to the airis maill to be gottin betuix the said Donald and the said Helene,—within the space of twa monethis nixt and immediat following the dait of the infeftment to be maid be

the said Jhone Grant of Frewquhy to the said Angus M^cAlester vpone the landis of Glengarrie and the remanent vtheris landis eftir specefeit: And als the said Angus bindis and oblissis him to infeft the said Donold and the airis maell to be gottin betuix him and the said Helene, quhilkis failzeing, the saidis Donaldis airis maell to be gottin of his bodie, and failzeing thairof, to returne to the said Angus and his airis maell quhatsumeuir, be resignatioun in our soueranis handis, superiour of this realme, in all and haill his heretage and landis, with fischingis, partis and pendiculis, quhilk he salhappin to ressaue be infeftment of the said Jhone Grant of Frewquhy conforme to this contract; and als, in all and sindre his vtheris landis, heretagis and fischingis quhatsumeuir: Reseruand the lyfrent of the samyn to the said Angus, and coniunct fie of the said Angus wyf; and the landis of the twa merk land of Londie, the twa merk land of Auchlewchrych, the twa merke landis of Dangeing with the pertinentis, the landis of Morar, the merke land of Kelis, the merke land of Kynmonowok and Suerdolane, the merke land of Breggarfnychtoir, the halfe merk land of Nosterie and Glanssincardeche, and the halfe merke land of Akirsyde, with thair pendiculis, partis, pertinentis and fischingis, [to be gewin] be the said Angus to Allain M^cAllestir, his broder, and his airis maell to be gottin of his bodie, quhilkis failzeing, to returne to the said Angus and his airis maell, in heretage be his charter and precept, to be haldin be seruice of ward and releif of the said Angus and his airis; quhilk sall contene reseruatioun of the thrid of the cheitterie of court of the saidis landis to the said Angus and his airis maell, with taxatioun of the saidis landis to the said Angus and his airis maill foirsaidis, quhen he or thai passis to court, or vther wayis as the said Angus and his airis foirsaidis sall tak and rais of the remanent of the said Angus landis; for quhilk the said Allane M^cAlestir sall for him and his airis foirsaidis gif and mak to the said Angus and his airis foirsaidis ane sufficient band of manrent, in sic forme as the said Angus giffis to the said Jhone Grant of Frewquhy: And siclyk the said Angus bindis and oblissis him to gif to the said Donold, his sone and apperand air, how swne he cumis to perfectioun of auchtene zeiris of age, the haill thrid of his lewing and heretage, to be brukit and iosit be him according to the vse and fassioun of the cuntre: And failzeing of the premissis, the said Angus bindis and oblissis him faythfullie, his airis and assignayis, to content and paye to the said Jhone Grant of Frewquhy, his airis or assignayis, the sowme of sax thowsand pundis vsuall money of this realme: And gif it sall happin at the plesour of God that there salbe na airis nor barnis procreat nor gottin betuix the said Donold, sone to the said Angus, and the said Helene Grant, except airis and barnis famaill, in that caice the said Angus bindis and oblissis him and his airis and successouris, lardis of Glengarrie, to content and paye to the saidis airis fameill to be gottin betuix the said Donold and the said Helene, gif thair salhappin to be bot ane of thame, the sowme of ane thowsand merkis vsuall money of this realme, to marie hir with ane honest parage [partei]; and gif thair salhappin to be twa of thame, sall gif and paye to thame the sowme of tuelfe hundreth merkis money foirsaid, to

be partit equalie betuix thame to doit and tocher thame in mariage with honest parteis; and gif thair salhappin to be thre of thame, sall gif to ilk ane of thame the sowme of sax hundreth merkis money foirsaid to doit and tocher thame in mariage, as said is; and gif thair salhappin to be mair thane thre, to doit and tocher thame in honest mariage with honorabill parteis, as he sall think expedient and as becumis him, his airis and successouris, to do of their honouris: And siclyk the said Angus bindis and oblissis him faythfullie to delyuer ane sufficient band of manrent, quhilk maye iustlie stand be the law of this realme, contenand the claussis specefeit in this present contract and vtheris claussis rationale and necessarie, as the said Jhone Grant, his airis or successouris, sall think expedient to be put in the samyn; bindand and oblissand him, his airis and successouris, lairdis of Glengarrie, to serue the said Johne Grant of Frewquhy, his airis and successouris, lardis of Frewquhy, perpetuallie in tyme cuming, with his and thair kyne, freindis, allyay and part-takkaris, in all his actionis and caussis quhatsumeuir, in the law and by the law, aganis quhatsumeuir persoun or personis, the auctoritie of our souerane and his cheiff of Clenrandall onlie beand exceptit: Prowyding alwayis that gif it salhappin the said Angus, cheif of Clenronald, or his airis, to moif ony questioun or actioun contrar the said Jhone Grant of Frewquhy, his airis or successouris, kyn, freindis or heretage, in onye tyme cuming, in that caice the said Angus bindis and oblissis him, his airis and successouris, as said is, that he, his airis and successouris, sall tak afald and plane part and concur with the said Jhone Grant, his [airis] and successouris, contrar his said cheif, his airis and successouris, and to accumpanye with the said Jhone Grant of Frewquhy, his airis and successouris, be him selfe, his kyn, freindis, allyay and part takkaris foirsaidis, at sic place as salbe appoynttit to the said Angus, his airis or successouris, be the said Jhone Grant, his airis or successouris, vpone the premonitioun of aucht dayis to be maid to the said Angus, his airis and successouris, be the said Jhone Grant, his airis or successouris foirsaidis, nochtwithstanding the exceptioun of the said Angus cheif foirsaid: And gif it salhappin the said Jhone Grantt of Frewquhy, his airis or successouris, to moif onye questione, querell or actioun of his awin occasioun contrar the said Angus cheif, his airis or successouris, in that caice the said Angus, nor his airis nor successouris, sall nocht be oblist to tak part nor concur with the said Jhone Grant of Frewquhy, nor his airis nor successouris, nochtwithstanding his said obligatioun and band maid to the said Jhone Grant, his airis or successouris: And gif it salhappin onye persone or parties to herrie, oppres, reiff, sorne, or do onye vther iniurie to the inhabitantis of the said Jhone Grantis landis of Vrquhart and Glenmoristoun, lyand within the said scherefedome of Inuernes, or onye vther the said Jhone Grant his airis and successouris thair landis, cuntreis or heretagis, in onye tyme cuming, the said Angus bindis and oblissis him, his airis and successouris foirsaidis, to fortifie, manteine and concur with the inhabitantis of the saidis landis of Vrquhart and Glenmorestoun and vtheris his and thars landis, cuntreis and heretagis, and defend thame at his and thair vttermest powar, and

tak afald part with thame in resisting, revenging, restitutioun and reparing of all skaythis, iniurie and herme, to be done to the said Jhone Grant of Frewquhy his airis and successouris landis and heretagis of Vrquhart and Glenmorestoun, and vtheris quhatsumeuir his landis and heretage; and sall do his exact diligence to heme bring the guidis and geir that salhappin to be takene awaye furth of the boundis of the saidis landis of Vrquhartt and Glenmoreistoun, and vtheris his landis and heretage quhatsumeuir in onye tyme cuming, be thair awin forcis, gif thai maye do the samyn, and restoir and delyuer the samyn again to the awnaris thairof, in sic maner as gif the guidis and geir war takin awaye and spoilzeit fra thame selffis: And gif the said Angus, his airis and successouris, be thame selffis, thair kyn and freindis, be nocht able to reuenge the oppressioun, reif and stouth, to be done or maid be quhatsumeuir persone or personis vpone the landis of Vrquhart and Glenmoreistoun and inhabitantis thairof, and vtheris the said Jhonis, his airis and successouris, landis and heretage, and maye nocht restoir the samyn as said is, the said Angus bindis and oblissis him, his airis and successouris, to be readye with his kyne and freindis to accumpanie with sic ane gentillman landit as sall pleis the said Jhone Grant, his airis or successouris to direct, and pas in companye with the said Angus, his airis and successouris, kyn and freindis foirsaidis, for reparing and restitutioun of the dampnage and skayth to be done, as said is: And attour, the said Angus bindis and oblissis him, his airis and successouris foirsaidis, that at quhat tyme it salhappin the said Jhone Grant of Frewquhy, his airis or successouris foirsaidis, to be chargit be the auctoritie to quhatsumeuir oistis or weris, the said Angus, his airis and successouris, sall accumpanye with the said Jhone Grant, his airis and successouris foirsaidis, in the said oisting and weris, fra the daye of the begynnyng thairof to the end of the samyn, the said Angus his airis and successouris cheif of Clanronald nocht beand present in the saidis weris: And in caice onye persone or personis within the boundis, rowmis or heretage pertenyng or salhappin to pertene to the said Angus, his airis or successouris, to steill, reif or tak awaye onye bestiall or guidis quhatsumeuir, in onye tyme cuming, furth of the boundis of Strathspeye, in that caice the said Angus oblissis him, his airis and successouris, to staye and stope the samyn at thair vttermest powar, and to restoir and redelyuer agane the bestiall, guidis and geir that salhappin to be takene furth of the boundis of Strathspey, to the awnaris thairof within the space of ten dayis eftir the awaye takking or stouth of the samyn, or ellis to paye the samyn agane of thair awin guidis, and punische the committaris of the saidis crymis according to the tennour of the lawis of this realme: Attour [the said] Jhone Grant of Frewquhy is presentlie content that the said Angus bruik and iois all and haill the nyne merk [landis of] Lochealche, pertenyng to him be comprysing fra the Clanchamron, ay and quhill the said Angus obtene the landis of [Auchin]drone with the pertinentis, lyand within the said scherefedome, be his awin titill and rycht quhilk he hes to the samyn, quhilkis . . . that the said titill be nocht sufficient to bruik the saidis nyne merke landis of Lochealche, aye and quhill the said Angus, be himselfe and his labouris, or

vtherwayis be the labouris of the said Jhone Grant of Frewquhy, maye obtene the titill and rycht to him of the saidis landis of Auchindrone; and the said Angus titill quhilk he hes of the saidis landis of Auchindrone being fundin sufficient, and brukand the samyn thairbe, in that caice the said Jhone Grant of Frewchquhy and his airis to haue the saidis landis of Lochalche, to be vsit be him and his airis or successouris thaireftir frelie but forder impediment: For the quhilkis fulfilling, obseruyng and keping of all and sindrie the poyntis [and] claussis foirsaidis promesit be the said Angus, his airis and successouris, the said Jhone Grant of Frewchquhy bindis and oblissis him, his airis and successouris, to infeft the said Angus and his airis maell in the landis of Glengarrie, quhilk he hes be vertew of comprysing and infeftment maid thairupone, and siclyk in the landis of Doynathane and yle of Slechemene, the tuelfe merke landis of auld extent of Morar, the tuelfe merke landis of auld extent of Lochalche, the foure merke landis of Lochcarroun with thair pertinentis, lyand within the scherefedome foirsaid. quhilkis war comprysit to the said Jhone Grantis predicessouris fra the said Angus, in lyk maner to be haldin of our souerane be sic seruice as is contenit in the said Jhone Grantis infeftment maid thairupone, quhilkis salbe relatiue to this present contract and contene this prouisioun following;—that gif it salhappin the said Angus, his airis maell or successouris, to failze in fulfilling and obseruing of thair band of manrent maid be thame to the said Jhone Grant, his airis or successouris, or onye poynt contenit thairin, or seruing of the said Jhone, his airis and successouris, in our soueranis oisting and weris in all tymes cuming, his cheif of Clanronald nocht being present in the saidis weris; and siclyk in keping and fulfilling of all and sindrie the poyntis, heidis, claussis and articulis contenit in this present contract, or onye ane of thame, in that caice the said infeftment to be fra thyne furth cassat, annullat, of na strenth, force nor effect, in na tyme cuming thaireftir, bot simpliciter expirit in it selfe, and as the samyn haid neuir bene maid; and the said Jhone Grant of Frewchquhy, his airis and successouris, to haue als full and fre rycht, regreis, ingres and access, in and to the saidis landis with thair pertinentis as his awin proper heretage, and as he haid the samyn befoir the macking of his infeftment to the said Angus thairupone: And the said Jhone Grant of Frewchquhy, for him selfe, his airis and successouris, sall gif and delyuer to the said Angus, his airis and successouris foirsaidis, ane sufficient band of mantenance of thame, thair kyn, freindis, part takkaris and allyay, in all thair iust and honest actionis, and in all sic actionis as thai sall incur onye danger in the seruice of the said Jhone Grant, his airis or successouris, to be done be thame at his and thair commandis: And gif it salhappin the said Angus M^cAlestir, his airis or successouris, to brek or failze in none fulfilling of this present contract or band of manrent to be gevin as said is, or onye poynt thairof as is befoir exprimit particularlie, he is content for him selfe, his airis and successouris foirsaidis, submittand thame to the iurisdictionis iugementis and decreit of the schereffis of Inuernes, Moraye, Abirdene, or thair deputtis ane or mair, commissaris of Abirdene and Moraye respectiue, or onye ane of thame respectiue, for the tyme berand the saidis officis, that gif onye poynt

or poyntis of this present contract or band of manrent foirsaid beis fundin brokene or contravenit be the said Angus, his airis or successouris, to the said Jhone Grant of Frewchquhy, his airis or successouris, befoir the saidis iugis or onye ane of thame befoir quhome the said Jhone Grant of Frewchquhy, his airis or successouris, plesis call or persew for contraventioun of none obseruing of the samyn, the said Angus his airis or successouris nocht mendand the samyn to the said Jhone, his airis or successouris, afoir the calling or persewing of the samyn; and thaireftir onye of the saidis iugis afoir exprimit respectiue decernand thairin sall haue powar to decerne be thair decreit the foirsaid infeftment to be gevin be the said Jhone to the said Angus and his airis and successouris vpone the landis afoir specefeit to be null, invalid, of na strenth, force nor effect, in onye tyme cuming thaireftir, bot as the samyn haid neuer bene maid to the said Angus, his airis and successouris, onye ane poynt of contraventioun or none fulfilling of this present contract or band of maurent foirsaid being verefeit and provin befoir the saidis iugis or onye ane of thame, as said is: And decreit being pronuncit be onye of the saidis iugis, it sall nocht be lesum to the said Angus, his airis or assignayis nor successouris, to reclame, provok, appeill nor contravene the said decreit nor onye part thairof to be gevin as said is, in onye tyme cuming; quhilk gif he or thai dois, the said Angus bindis and oblissis him, his airis and successouris, faythfullie to content and paye to the said Jhone Grant of Frewchquhy, his airis or successouris, the sow[me of] ten thousand pundis vsuall money of this realme, for coistis, skaythithis, dampnage, expenssis et interesse . . . to be maid be the said Jhone Grant of Frewchquhy, his airis and successouris foirnemmit thairanent, as . . . and liquidat betuix the saidis perteis afoir, or ewir the said Angus, his airis or successouris, be hard or . . . call or persew for reductioun of the said decreit befoir quhatsumeuir iuge or iugis within this realme: And . . . keping and fulfilling of all and sindrie the premissis, bayth the saidis parteis, submittand thame and ilk ane of thame to the commissar of Morayis iurisdictioun in this caice, and renunceand all vther previlegiis, ar contentit that this present contract be insert and registrat in the said commissaris buikis, and haue the strenth of his decreit and act interponit heirupone; and that the lordis of counsall fulminat and decerne thair letteris of hornyng, poinding or warding, at the instance of ather parte, in forme as efferis, vpone the samyn, and the said commissaris act and decreit interponit heirupone, as gif the samyn war insert and registrat in the buikis of counsall and decreit of the lordis interponit thairupone: And to that effect, the said Jhone Grant of Frewchquhy names and constitutis for him M^{r} Hew Cragie, parsoun of Inuerkaythny, William Gaderar, Sir Alexander Douglas, burgessis of Elgin, coniunctlie and seueralie his procuratouris, and the said Angus M^{c}Alestir names and constituttis for him Jhone Annand, William Haye, burgessis of Elgin, Mr. Martene Logie and Sir James Tarres, his procuratouris, coniunctlie and seueralie, to compeir befoir the said commissar quhatsumeuir daye and place to exhibit and present this contract, and consent to the registreing of the samyn; and to act thame and ilk ane of

thame, submittand thaim to the said commissaris iurisdictioun as said is, to obserue, fulfill and keip all and sindrie the poyntis, claussis and articulis of the samyn, vnder the panis of poynding, warding or hornyng, as said is; and that the lordis of counsall fulminat and decerne thair letteris in maner foirsaid at the instance of ather partie, in forme as efferis: In witnes of the quhilk bayth the saidis parteis hes subscryuit [this] present contract with thair handis, videlicet, the said Jhone Grant with his proper hand, and the said Angus M^cAlestir with [his] hand at the pen led be the notar vnderwrittin be him specialie requirit heirto, daye, zeir and place fo[irsaid]; befoir thir witnes, Patrick Grant of Dalweye, Jhone Haye in Allanboye, Jhone Grant Reache in Kinveache, Farquhar Robertsone in Allochy, William Gaderar, burges of Elgin, and Sir Jhone Gibsone, parsone of Vnthank, notar publict, with vtheris diuerss. Sic subscribitur, Jhone Grant of Freuchquhy, Angus M^cAlestir, sone and air to vmquhill Alestir M^cKeane of Glengarrie, with my hand at the pen led be Sir Jhone Gibsone, notar publict, at my command be me specialie requirit heirto. Ita est, Johannes Gibsone, notarius publicus per dominos consilii admissus, per dictum Angusium specialiter in premissis requisitus, manu propria, et ex desiderio ambarum partium supra-scriptarum, etc. Extract furth of the Commissar of Elginis Contract Buikis, concordand with the originall contract abone writtin in all poyntis, registrat in his saidis buikis, as at mair lenth is contenit thairintill, vnder the said Commissaris subscriptioun manuall in absence of his scrybe, to the quhilk his signet of office is affixit, etc.

MAISTER ALEXANDER DOUGLAS, Commissar of Elgin, in absence of my scryibe, with my hand.

141. RATIFICATION OF CONTRACT between JOHN GRANT of Freuchie and COLIN M^cKENZIE of Kintail. 18th April 1572.

AT FORES, the xviii day of Apryll, in the zeir of God ane thousand v^c and saxty tuelf zeiris, it is tocht gud and necessar be Johne Grant of Fruquhy for his pairt, and Colyne M^cKenzie of Kyntaill for his pairt, ather of the said pairteis affermis and allouis the fyrst contract maid betuex the said pairteis in Elgyn, the gidder with this eik, maid in Fores, befor Schir Alexander Dunbar of Cumnok, knycht, Robert Lesly of Arthoursair, Ross of Lytill Terroll, Patrik Grant of Dalvay, and Alexander Bayn of Tulch, as efter followis: That is to say, in cace the said Colyne M^cKenzie of Kyntaill repudiatis Barbara, dochter to the said Johne Grant of Fruquhy, than and in that cace the said Johne Grant of Fruquhy and his airis sall haue ingres and regres to half landis of Lochbrun, contenit [in the] pryncipall contract: And als the said Joh[ne Grant] of Fruquhy is content quhen it sall [hap]pin the [said] Colyne M^cKenzie to gett airis maill . . . Barbara Grant his dochter cumin to perfection of zeiris, nochtwithstanding . . . [ha]lding blance of the said landis of Lochbrun, of the said lard of Grant, he byndis and oblissis hymself [and] his airis to gif the

said landis of Lochbrun to the said Colyneis airis, as said is, to be haldin of the king; and sicklyk, the said Colyne M^cKenzie of Kyntaill is content, for luff and fawour and kyndnes that ather of the saidis pairteis beris to wder, to mak ane freyndlie and ane equall band, euere ane till wder, aganis Lachlane M^cIntosche of Dunnachtan and all wderis mortall, the King and the erle of Ross bean exceppit for the pairt of the said Colyne; and for the pairt of the said Johne Grant of Fruquhy, the authoritie [and] the erle of Huntlie bean exceppit; and all eikis to be put in the contract maid in Elgyn, except the band to be maid betuex tham, quhilk salbe maid be it self at the perfytting of thir forsaid secureteis; and this we promes faythfully of our honouris to be done betuex this and the fyrst day of Maii. Subscriuit with our handis, befor thir wytnes, Schir Alexander Dunbar of Cumnok, knycht, Robart Lesly of Arthorsair, Alexander Ross of Lytill Terroll, Patrik Grant of Dalway and Alexander Bayn off Tulch.

JOHNE GRANT of Fruquhy.
COLYNE M^cKENZE of Kyntaill.

142. AGREEMENT between JOHN GRANT of Freuchie and COLIN M^cKENZIE of Kintail, with reference to the lands of Lochbroine. 26th April 1572.

AT BALLACHASTELL, the xxvi day of Apryll, the zeir of God j^mv^c thre scoir and tuelff zeris, it is appointit and convenit betuix honorabill men, Johne Grant off Fruquhy, and Colene M^cKenze of Kintaill on the ane and other partis, concerning the bygane profittis of the half landis of Lochbroine, in maner following; that is to say, giff the saidis parteis may be thair persuasioun and labouris caus Angus M^cAllester of Glengarie to accept infeftment of the landis of Achdrome of the said Colene, and to pay for ilk merk land of the samyn as the said Colene payis to the said John for ilk merk land of the landis of Lochbroine; in that cace the said John Grant of Fruquhy dischargis the said Colene of all bygane profittis of the saidis half landis of Lochbroine, be thir presentis: And gif the said Angus refuissis to accept the said infeftment, and to do thairfor in maner abone specifeit, sua that the said John Grant be constranit to ressaue infeftment of the saidis landis off Achdrome to himselff fra the said Colene, and to pay thairfor, as said is; in that cais, baith the saidis parteis bindis and obleissis tham, be thir presentis, to vnderly the jugement and aduys of ane nobill and potent lord John erll of Athole, quhidder the saidis bygane profittis of the half landis of Lochbroin sall be allowit in payment or nocht, sa far as the same extendis to, for the said John Grant to the said Colene M^cKenzie for the saidis landis of Achdrome; and quhoueuer the said noble lord adiuges or decernis, bayth the saidis parteis to abyid thairat irreuocable, be this writ, subscryuit with the handis off the saidis Johne and Colene, day, zeir, and place forsaid; befoir thir vitnes, Patrik Grant of Dalwey, M^r Archibald M^cGregour, M^ris Thomas Austean and Thomas Gordoun, notar publict, with otheris diuerss.

JOHNE GRANT of Fruquhy.
COLYNE M^cKENZIE of Kintaill.

143. Bond of Manrent between Johne Grant of Freuchie and Colin M^cKenzie of Kintaill. 26th April 1572.

Thir indentouris ar maid at Ballachastell, the tuantie sext day off Apryll, the zeir off God j^mv^c thre scoir and tuelff zeris, betuix rycht honorabill men, Johne Grant off Fruquhy, for him selff and his airis, on the ane part, and Colene M^cKenze off Kintaill, for him selff and his airis, on the other part, for continwall preseruatioun, interteining and manteining off luiff, freindschip, amitie and kyndnes, betuix the saidis parteis and thair airis respectiue and successiue in tyme cuming, and for avoiding, removing, resisting and vnbescheving off all extorsionis, inuasionis, herschippis or other inconuenientis quhatsumeuir that mycht chans vpone ony off the saidis parteis or thair airis or landis be quhatsumeuir personis in ony tyme heireftir, in maner, form and effect as followis: That is to say, the said Colene M^cKenze bindis and obleissis him be the fayth and trewth off his body, vnder the pane off periure and diffamatioun, and his airis, the said Colene being suorn thairto, the haly euangelis tuichit, that in all tyme cuming he and his airis, be tham selffis, thair kin, freindis and assistence, sall tak afald and plane part with the said John Grant and his airis for defens of tham, thair cuntreis, landis, freindis and seruandis, fra quhatsumeuir persuit, extorsionis, inuasionis or othiris inconuenientis that sall happin to cum on tham, or for requyting and reuenging off the samyn aganis quhatsumeuir personis or parteis, the authoritie and erlis of Ros only being except: And in speciall, giff it sall happin the said Johne Grant off Fruquhy, his airis, kin, freindis, seruandis, cuntrey or landis, to be inuadit or persewit in ony sort be Lachlan M^cKintoische off Dunnachtan, his airis, kin, freindis, seruandis or assistence in ony tyme cuming, the said Colene M^cKenze and his airis, with thair kin, freindis and assistence, to concur and tak afald and plane part with the said Johne and his airis in resisting or requyting and reuenging off the same (as giff the said extorsione wer done to the said Colene, his airis, kin, freindis or seruandis), aganis the said Lachlan and his airis, all excuiss, fraud and gyill secludit and avayput, vnder the pane forsaid: And siclyk, the said Johne Grant off Fruquhy bindis and obleissis him and his airis to the said Colene and his airis, be the fayth and trewth of his body, vnder the pane abone exprimit, and is suorn thairto, the haly euangelis tuichit, that in all tyme cuming he and his airis, be tham selffis, their kin, freindis and assistence, sall tak afald and plane pairt with the said Colene and his airis, for defenss off tham, thair cuntreis, landis, freindis and seruandis, fra quhatsumeuir persuit, extorsionis, inuasionis or otheris inconuenientis that sall happin to cum on tham, or for requyting and reuenging off the samyn aganis quhatsumeuir persones or pairteis, the authoritie and erlis off Huntle only being except: And in speciall, giff it sall happin the said Colene M^cKenzie, his airis, kin, freindis, seruandis, cuntrey or landis, to be inuadit or persewit in ony sort be Hew Fraser off Lowat, his airis, kin, freindis, seruandis or assistence, in ony tyme cuming, the said Johne Grant and his airis with thair kin, freindis and assistence, to concur and tak

afald and plane pairt with the said Colene and his airis, in resisting or requyting . . . the same aganis the said Hew and his airis, as giff [the] said extorsioun wer done to the said Johne, his [airis, kin, freindis] or seruandis, all excuis, fraud and gyill secludit [and away] put, vnder the pane forsaid: And for obs[eruing] . . . forsaidis indentouris and band, and lesting weill . . . off Fruquhy and Kintaill in tyme cuming . . . teis oblesis and astrictis thair airis vnder . . . forsaid that quhat tyme or quhousone ony off . . . entrit in and to thair landis, and beis requerit be the other partie to renew, ratifie and appreiff this present in[dentour and] band that thai sall renew and subscryve the same, conform to the generall claussis concerning this present band . . . in the contract maid betuix the saidis pairteis the day immediat preceding the dait heiroff. In witnes quhairoff, bayth the saidis pairteis hes subscryuit this present band and indentour with thair propir handis, day, zeir and place forsaidis, befoir thir vitnes, honorabill and discreit men, Patrik Grant of Daluey, Mr. Archibald M^cGregour in Tullochgrumen, Mr. Thomas Austean and Mr. Thomas Gordoun, notar publict, with otheris diuerss.

JOHNE GRANT of Fruquhy.
COLYNE M^cKENZE of Kyntaill.

144. LETTER OF CONCURRENCE by WALTER ABBOT OF KINLOSS, for comprising the lands of Hauchis from BESSIE GORDON, relict of THOMAS BAILLIE of Ardneidlie, to THOMAS MELDRUM of Aden. 19th February 1573.

VALTER be the permissioun of God abbot of Kynloss and ourlord to the landis vnderwrittin, mackis manifeist and declaris be thir presentis to all and sindrie quhome it efferis, that Thomas Meldrum of Aden hes obtenit ane decreit before the schirreff of Bamff, decerning and ordining Bessie Gordown, relict of vmquhill Thomas Ballie of Ardneidlie, to content and pay to the said Thomas the sowme of sewin hundert fourescore aucht lib., aucht schillingis, money of this realm, as in the said decreit at mair lentht is contenit, of the dait the penult day of Nouember, the zeir of God j^m v^c lxxij zeris: And becauss of inlaik of mowabill geir pertenyng to the said Bessie, stranzeable for the said sowme, the said Thomas Meldrum hes obtenit preceptis of the said schirreff, with letteris of our souerane lordis, be deliuerance of the lordis of Sessioun, to denunce hir landis, coniunctfeis, lyfrentis or terces, to the awaill and quantitye of the said sowme; and in speciall the landis of Hauchis, pertenyng to hir in coniunctfee, lyand within the parrochin of Keyth and schirrefdome of Bamff: And becauss the saidis landis of Hauchis lyis within our regalitye of Kynlos, and is haldin of ws as ourlord thairof, we, be the tennour heirof, for ws and our successouris, is content and be thir presentis consentis, that the saidis landis with the pertinentis, ellis denuncit as said is, be sufficientlie and ordourlie, at the instance of the said Thomas, comprisit conforme to the tennour of the saidis decreit, precept and letteris of our souerane lord past thairupone; and quhat beis rychtuislie and lauchfullie done thairintill, we and our successouris to hald ferm

and stable without reuocatioun : Reseruand all wayis to ws and our successouris the fermis, malis, canis, dewteis and seruice of the saidis landis aucht and wont, conform to the euidentis maid thairupone of auld : In witnes of the quhilkis, to thir our letteris subscriuit with our hand our seill is affixit, at Balnamone, the xix day of Februare, the zeir of God j^{m}v^{c}lxxiij zeris, before thir witnes, Robert Cullace of Balnamone, Robert Cullace zoungar his sone, Jhone Greg, James Ramsay, Jhone Meldrum, with vtheris diuerss.

W. Abbot of Kinloss.

145. Letters of Charge by King James the Sixth to abstain from cutting and destroying the woods, dykes, etc., belonging to John Grant of Freuchie. 13th March 1573.

James be the grace of God King of Scottis, to our louitt messengeris, our scherreffis in that part, coniunctlie and seueralie, specialie constitute, greting : Forsamekle as it is humilie menit and schawin to ws be our louitt Johnne Grant of Frewchye, that quhair he hes the landis and barronye of Vrquhart, with the woddis and forrestis thairof, callit the Forrest of Clwnye, pertening to him in heretage, lyand within our schirrefdome of Inuernes, and for the commoun wele and polecye of our realme hes maid gritt travellis, coistis and expenssis vpoun the dyking, parking and haning of the grene wod and growand treis and medois within the samin, to the effect the saidis grene wod, growand treis thairof and haning thairintill, suld nocht be cuttit doun nor onyewyis destroyit be onye of our liegis ; neuirtheles the tennentis, inhabitantis and occupiaris of his landis and barronye of Vrquhart, with diuerss vtheris our liegis and subiectis, haifand thair rowmes, landis and stedingis neir adiacent to the said Johnnis woddis and forrestis, alswele be day as vndir scilence and cloude of nycht, brekis doun and destroyis the dykis, parking and haning thairof, makis entres to thame selfis, thair hors, cattell and guidis thairintill, and nocht onlie cuttis doun, destroyis and spuilzeis the growand treis of the saidis woddis and forrestis, bot als with thair hors, cattell and guidis foirsaidis, eitis, scheris and destroyis the medois, gers and haning within the samin, and on nawyis will desist and ceis thairfra, without we and the lordis of our counsale provyde scharp remeid thairto in dew tyme, as is allegeit : Oure will is heirfoir, and we charge zow straitlie and commandis that, incontinent thir oure letteris sene, ze pas and in our name and auctoritie command and charge all and sindrie the tennentis, occupiaris and inhabitantis of the landis and barronye of Vrquhart, and all vtheris our liegis haifand thair landis, rowmes and stedingis neir adiacent to the said Johnnis woddis and forrestis of Clwnye, in generale, and be thair names in speciale, quhais names he sall giff to zow, in bill, oppinlie at thair paroche kirkis, and all and sindrie vtheris oure liegis be oppin proclamatioun at the mercat croce of oure burgh of Inuernes and vtheris places neidfull, that nane of thame tak vpoun hand owthir oppinlie or priuelie, be day or nycht, to cutt doun, destroy, spuilze, nor tak away the grene wod and growand treis of the saidis woddis and forrestis, nor

onywyis brek doun the dykis of the samin, and swa on nawyis mak entres to thame selfis, thair hors, cattell and guidis thairintill, nor zitt scheir be thame selfis, eitt, nor destroy be thair hors, cattell and guidis foirsaidis, the medois, gers and haning thairintill, nor peill the bark of the saidis treis, vndir the panis contenit in oure actis of parliament; with certificatioun to thame and ilk ane of thame, giff thai failze thairin, thai salbe callit and persewit thairfoir befoir our iustice or his deputis, at particuler dyettis, and puneist in thair persounes for the samin, as accordis of the law and conswetude of our realme and iustice, as ze will answer to ws thairvpoun. The quhilk to do we committ to zow coniunctlie and seueralie oure full power be thir oure letteris, deliuering thame be zow dewlie execute and indorsate agane to the berare. Gevin vndir oure signet, at Edinburgh, the xiij day of Marche, and of our regnne the sevint zeir, 1573.

Ex deliberatione dominorum consilii, etc. J. BANNATYNE.

146. LETTERS OF JUSTICIARY to ROBERT EARL OF BUCHAN, sheriff of Banff, for the trial of WILLIAM BAILLIE in the Hawchis. 4th June 1575.

JAMES be the grace of God King of Scottis, to all and sindry oure liegis and subdittis quhome it efferis, to quhais knawlege thir oure letteris sall cum, greting: Forsamekill as it is vnderstand to ws and oure rycht traist cousing, James erll of Mortoun lord of Dalkeyth, Regent to ws, oure realme and liegis, that Williame Baillie in the Hawchis, for non finding of souirtie for his comperance befoir the baillie of the regalitie of Kinloss at ane certane day bipast, to haue vnderlyne oure lawis for art and pairt of the slauchter of vmquhile maister James Birny, wes ordourlie denunceit oure rebell and put to oure horne, be vertew of oure vtheris letteris past be deliuerance of the lordis of oure counsall and sessioun: And becaus he remainit thairat, joyning him self in cumpany of certane sornaris, vagaboundis and vtheris oppressouris of the cuntre, commissioun wes gevin vnder oure qwarter seill to oure schireffis of oure schirefdomes of Banff, Elgin and Fores, and als to Thomas Meldrum of Eden, Patrik, Johnne, Thomas and George Meldrumis, his sonnis, and to ilk ane of thame coniunctlie and seueralie, for taking and apprehending of the said Williame, lykeas he be vertew thairof wes takin and apprehendit, and presentlie in the handis and keping of the said Thomas Meldrum; vpoun quhome it is necessar that iustice be execute for the said slauchter and vtheris crymes committit be him sensyne, to gif exempill to vtheris not to commit the lyke in tyme cuming: Quhairfoir, to haue gevin, grantit and committit, and be thir oure letteris, with auise and consent of oure said cousing and regent, gevis, grantis and committis oure full power and commissioun to oure weilbelouit Robert erll of Buchane, oure schireff of Banff and his deputtis, and to ilk ane of thame coniunctlie and seueralie, court or courtis of iusticiarie within the boundis of oure schirefdome of Banff at ony pairt thairof to set, begin, affix, affirme, hald and continew, als oft as neid beis, and thairin the said

Williame Baillie, oure rebell foirsaid, to put to the knawlege of ane assyis for the said slauchter and vtheris crymes committit be him sensyne; and als he beis fund culpabill or innocent of the samyn, to caus ministrat iustice vpoun him, conforme to the lawis of oure realme; sectis to mak be callit, absentis to amerciat, trespassouris to pvneis, vnlawis, amerciamentis and escheittis of the saidis courtis to ask, lift and raise; assyiss ane or ma within oure said schirefdome and four half [next ?] about, to summond, warne, cheis and caus be sworne, ilk persoun not comperand vnder the pane of ten pundis; clerkis, seriandis, dempstar and all vtheris officiaris and memberis of court neidfull, to mak, substitute and ordane, for quhilkis oure said schireff salbe haldin to ansuer; and generallie all and sindry vther thingis to do, exerce and vse, that in the premissis is necessarlie requirit to be done: Ferme and stabill haldand and for to hald all and quhatsumeuir thingis oure said schiref or his deputtis lauchfullie dois in the premissis, be thir oure letteris. Gevin vnder oure signet, and subscriuit be oure said cousing and regent, at Halirudhous, the fourt day of Junii, and of oure regnne the aucht yeir, 1575. JAMES REGENT.

147. ACCOUNT OF THE MOVEABLE GOODS of DUNCAN GRANT, apparent of Freuchie, who died in the year 1582.

THIS is the compt of the mowabill guidis pertening to ane honorabill man, Duncan Grantt wmquhill apperand of Fruquhie, extractit out of his compt buik, at the Beltan eftir his deperting, quhilk wes in the zeir of God j^{m}v^{c} fourscoir tua zeris.

Item, imprimis, of ky threscoir xix, price of the pice iiij lib.
Item, of queokis of tua zeir auldis xiiij, precium pecii xl. s.
Item, of zeir auld scho beastis ellewin, precium pecii xx s.
Item, of steris of thre zeir auldis fyiftein, price of the pice xl s., and of tua zeir auld stoittis ten, price of the pice xxvi s. viii d.
Item, of hie steris of zeir auldis sax, price thairof vj lib.
Item, of drawin oxin in the plewis thre scoir and sax, price of the pice v lib.
Item, of scheipe and wedderis tuentie four scoir and ten.
Item, of lambes ten scoir and tua, price of the pice v s.
Item, of wairk hors tua, with ane . . .
Item, in the barn and barn zard of beir be gud . . .
Item, in the said barnis and barn zard of . . .
Item, the haill wictuall sauld out . . . haill manniss of the croipe of anno fourscoir . . . extendis to nynten scoir fyif bollis ij firlottis tua . . . price of the bollis, four merkis.

Summa in silwer, fyiften hunderithe merkis xxii merkis iij s. iiij d.

The comptt of the insycht geir.

Item, xx pair blankaittis, xxiiij pair scheitis, xxiiij coiddis.

Item, four sewitt coweringis, tua Flanderis werdouris, with xij pellit coweringis, tene fedder beddis, xij boisteris, sax quhytt plaidis.

Item, thre silwer peicis, extending to xxx wnce of silwer.

Item, ane disson silwer spunis, extending to auchtein wnce.

Item, ane saltfaitt, extending to aucht wnce of silwer.

Item, four disson plaittis, with xviij truncheouris, with vj poittis and sax panis, ane brewing calderon, thre speittis, thre krewkis. Item, aucht chanlairis thre stand of neprie.

148. Precept by King James the Sixth for infefting John Grant, as heir of Duncan Grant, apparent of Freuchie, in Corremonie and other lands. 27th February 1582.

Jacobus Dei gratia Rex Scotorum, vicecomiti et balliuis suis de Inuernes, salutem: Quia per inquisitionem de mandato nostro per vos factam, et ad capellam nostram retornatam, compertum est quod quondam Duncanus Grant, apparens de Fruquhy, pater Johannis Grant latoris presentium, obiit vltimo vestitus et sasitus vt de feodo ad pacem et fidem nostram de omnibus et singulis terris subscriptis, videlicet, quatuor libratis terrarum de Corremone, quatuor libratis terrarum de Morill, octo libratis terrarum de quatuor Mekleis, quadraginta solidatis terrarum de Lochlettyr, quadraginta solidatis terrarum de Achintomrak, quadraginta solidatis terrarum de Dowcathe, et dimedietate terrarum de Mekle Cloune extendente ad viginti solidatas terrarum, et quadraginta solidatis terrarum de Pitkerrillcroy, extendentibus in integro ad viginti septem libratas terrarum, cum tenentibus, tenandriis, et libere tenentium seruitiis earundem, iacentibus in dominio de Vrquhart et infra balliam vestram: Quequidem omnes et singule predicte terre, cum tenentibus, tenandriis, et libere tenentium seruitiis earundem, vniuntur et incorporantur in vna baronia de Corremone nuncupata ab antiquo; et quod locus de Corremone omnibus temporibus futuris erit principale messuagium ipsius baronie; et quod vnica sasina capienda per heredes masculos prefatarum terrarum apud principale messuagium de Corremone stabit et sufficiens erit sasina pro omnibus et singulis prenominatis terris, absque aliqua alia speciali seu particulari sasina desuper capienda; et quod dictus Joannes Grant est legitimus et propinquior heres eiusdem quondam Duncani Grant apparentis de Fruquhy, patris sui, de omnibus et singulis terris predictis, cum tenentibus, tenandriis, et libere tenentium seruitiis earundem et suis pertinentiis, vnitis et annexatis vt supra; et quod est legitime etatis; et quod de nobis tenentur in capite: Vobis precipimus et mandamus quatenus dicto Joanni Grant, vel suo certo actornato, latori presentium, sasinam omnium et singularum predictarum terrarum, cum tenentibus, tenandriis, et libere tenentium seruitiis earundem et suis pertinentiis, vnitarum et annexatarum vt supra,

iuste haberi faciatis, et sine dilatione, salvo iure cuiuslibet, ac capiendo securitatem de 54 li. per duplicationem feudifirme earundem nobis debitis; et hoc nullo modo omittatis; presentibus post proximum terminum minime valituris: Teste meipso, apud Edinburgh, penultimo die mensis Februarii, anno regni nostri decimo sexto, 1582.

149. Obligation by the principal men of the Clan Grant to assist and defend their chief, John Grant of Freuchie, against the unjust invasion of his neighbours. 21st March 1584. [Letter from their chief subjoined.]

We vndervryttin, presentlie conveynnit at the kirk of Cromdell, this day, eftir considderatioun taen and avysment haid, with the letter vithin vritin and contentis thairof, directit to ws be our maister and cheif, Jhone Grant of Fruquhy, lamentis his di . . . inabilitie, praying the lewing God to remeid the sam as his hewinlie wisd[om] thinkis guid: As to the pairt of the said vriting delaeting to ws, quhow he [and] his freindis ar invaedit and persewit on thair awin heretaig, vithowt deseruing, . . . his sone and oo hes declaerit to ws at maer lenth: To the quhilk ve ansuer all in ane voice, vith ane consent, that in respek of the invasionis bygane maid to our said cheif and his freindis be our nybouris vithowt ony iust deseruing, defending our heretaegis, rychtis and possessionis, [ve] promeissis faythfullie, be the fayth and trewth in our bodies, that we sall efaldlie, lelalie and trewlie sa [far] as we may (vith the graice of God) at our wttermaist, assist, concwr, fortifie, manteyin and defend our saidis cheif and maister, his kyn, freindis and swirnaem, thair iust quarall and actiounis, other to persew and defend quhatsumeuir vil invad aganis our said cheif, his sone and oo. as neid beis, nocht onlie in bestowing of our gear but also with our bodies; and findis na falt with our said cheif, his sone nor oo, in ony proceiding past; praying God to inclyn thair hartis to perseweir in manteynance of thair honest and iust caus in tymis cuming, quha mot haif zour maisterschip in keiping: At Cromdell, the xxi of Merche 1584, be zouris awin maisterschipis vndervrittin at command.

Jamis Grant of Vester Elache.
Archibald Grant in Balnatom.
Patrik Grant of Dalwey.
Swein Grant in Dallcharne.
Jhon Grant in Tologorm.
Mr. W^m^ Farquharson.
Jhone Grant in Connegas.
Lachlane Grant, appeirand of Ellaquhy.
Patrik Grant off Ballnadallach.
James Grant of Ester Elloquhie.
Androw Grant off Rymoir.
Mr. Archibald M^c^Gregour.
Alex^r^ Stewart in Dregy.
Duncan M^c^Faill, redar at Cromdall.

Walter Stevard, George Grant in Aldaiche, Jo^n^ Grant in Kynveachye, Patrik Grant in Tulloch, James Grant in Auchernect, Duncan Grant in Camedall, W^m^ M^c^Kean in Dalnabo,

Alester M^cRobie in Glenloquhye, Jo^n Reauche M^cFatrik Vickinlay, W^m M^cAllan in Auchnarror, W^m Makean in Tulloch, Jo^n M^cAngus Owir, Jo^n Grant in Granynsche, with our handis at the pen, leid be Mr. William Gregour, notar publict, at our command.

[LETTER above referred to.]

To quhow, my maist spetiall freindis and kynnysmen, I haif thocht guid to vrit thir few lynis, the ane part to schaw zow the estaet of my inabilitie and helth, quhilk I hoip in God vith tym to convales to bettar helth, the other part is to schaw zow quhow I and my freindis and kynnismen ar mishandlit be our nybouris on our awin heretaeg, but ony deseruing, or perswit of ony thing that thaem perteynnis: And apone this occatioun I thocht guid to send my sone and oo to resone vith zou that ar my spetiall freindis, desyring to knaw gif ze find ony falt with ony of thai twa, or vith me, quhaer ve do ony vrang tovartis our nybouris, and quhaer ve do, that ze vil lat ws haif zour opinioun for reforming of the sam; the quhilk salbe done be zour avyss: And this I lwk for zour ansueris heirin, gif occatioun fallis owt, quhat I may lippin in zow as my maist spetiall freindis, lyk as I and myn man do for zow as occatioun servis; this finding zow all veillit, I dowt nocht bot thai sall haif the les vantaig quhat ever thai meyn to interprys; desyring zouris ansueris in writ in this, as my spetiall freindis, for, God uilling, I salbe layth to bring zow in ony questiowne, bot it that salbe found guid and honorable, and for zour veillis and honouris as for myn. Refaring the rest to zour awin voisdomis and to the sufficiencie of the beraris, and so faer ze hartlie veill: At Ballachastell, this Sonday the xxj of Marche, 1584. JOHNE GRANT of Fruquhy.

Forther, in all thingis bygane owir nybouris persewit nocht our bluid obefoir.

150. AGREEMENT between JOHN GRANT of Freuchie and LACHLAN M^cINTOSH of Dunachtane. 14th June 1586.

AT INUERNES, the fouretene day of Junii, the zeir of God ane thousand fywe hundreyth fourescoir sax zeiris, it is appoyntit, aggreit and finalie concordit betwyxe honorable personis, to wit, Johane Grant of Frewquhie, oy and aire to wmquhill Jhone Grant of Frewquhie, wyth expres consent and assent of Patrik Grant of Rothiemwrquhus, Johne Grant of Kinbeathie, and James Grant of Awchcharnek, his curatour[is], on that ane part, and Lauchlane M^cYntoyschie of Dunachtane on that vthir part, in maner, forme and effect as eftir followis: That is to say, forsamekle as Jhone Grant of Frewquhie, wyth expres consent and assent of his curatouris foirsaidis, grantis him at the making of thir presentis to hawe resauit fray the said Lauchlane M^cYntoyschie of Dunnachtane, for the causis eftir specifeit, the swme of twentie thousand markis gwd and wsuall monye of this realme, of the quhilk swme the said Jhone Grant, wyth consent and assent foirsaid, haldis him weill contentit, satisfeit and payt in numerat

monye, renunceing be thir presentis the exceptione of non numerat monye and all vthiris preuilegis of the law, ciuil and cannon, that may mak in the contrair heirof in onye tyme cuming: And thairfor, be the tennour heirof, the said Jhone Grant, wyth expres consent and assent of his saidis curatouris, exoneris, quyttclamis and dischairgis the said Lauchlane M^c^Yntoyschie, his airis, executouris and assignais, of the said swme of tuentie thousand markis monye for now and evir: Lykas also the said Lauchlane M^c^Yntoyschie, albeit as he vnderstandis that the decreit arbitrall pronuncit and gevin in his contrar in favouris of wmquhill Jhone Grant of Frewquhye, be Johane Campbell of Calder, Alexander Bane of Twllych, Robert Leslie of Dwghlie, George Leslie of Akinway, Patrik Grant of Ballindallach, Jhone Forbes of Poflarg, and Maister Williame Grant of Twllyboo, iugis, arbitouris and amicable compositouris electit and chosine be the said wmquhill Johane Grant of Frewquhye, in cumpanye wyth Maister Alexander Dunbar, dene of Murray, Sir Patrik Gordoun of Auchindowin, knycht, Huchone Ros of Kilrawok, Robert Monro of Fowlis, Johane Ros of Ballivet, and Angus Williamsone of Termit, iugis, arbitouris and amicable compositouris electit and chosine be the said Lauchlane M^c^Kyntoyschie, decernyng him to hawe no sufficient rycht, tytle, kyndnes nor possessione, in or to the landis and baronye of Rothyemwrquhus, with the twre, fortilice, milnis, woodis, fischingis, partis, pendiculis and pertinentis of the samyn, lyand wythin the regalitie of Spynie and schirefdome of Inuernes, as the decreit arbitrall gevin and pronuncit in favouris of the said wmquhyll Jhone Grant be the foirsaidis iugis, arbitouris and amicable compositouris, electit and chosine be him and for his part, of the dait at Elgin, the aucht day of Apryle, the zeir of God j^m^v^c^ fourescoir thrie zeiris, at mair lentht proportis; and also the decreit pronuncit thairvpon be Sir George Ogylbye of Dunlwgus, knycht, odman and oureman in the said caus, electit and chosine be baytht the saidis parteis, ratefeing and appreweyng the said decreit arbitrall gevin and pronuncit be the forsaidis iugis, arbitouris and amicable compositouris for the part of the said wmquhyll Jhone Grant, and decernyng the said Lauchlane till desist and ces fray all molesting and trwbling be himself, his freindis, serwandis and vthiris that he may lat, of the said wmquhill Johane Grant of Frewquhie, his serwandis, tennentis and vthiris in his name, in the paceable iosing, brwking, laboring, wsing and disponyng of the saidis landis and baronye or onye part thairof; and als suffer him, his airis and assignais, till paceablie iois, brwk and wse the samyn bwt onye clame or kyndnes to be acclamit be the said Lauchlane thairto or onye of his, be onye maner of way in tyme cuming, as the said decreit pronuncit thairupon be the said George Ogilbie of Dwnlugus, knycht, odman and oureman foirsaid, of the dait at Banff, the xxv day of May, the zeir of God j^m^v^c^ foure scoir fywe zeris, at mair lentht proportis—may be reducit be the law: Zit notwythstanding thairof the said Lauchlane M^c^Yntoyschie, for the causis vnderwrittine, ratefeis, apprewis and affermis be thir presentis the foirsaid decreitis of the daitis abone writtine, pronuncit be the foirsaidis iugis arbitouris chosine for the part of the said wmquhill Johane Grant, and als the decreit pronuncit be the said odman and oureman in all

poyntis, headis and claussis, as the samyn ar gevine and pronuncit be thame, and als ratefeing and appreweing the samyn: The said Lauchlane, for the causis eftir specifeit to be fulfillit and doun to him be the said Johane Grant now of Frewquhie, in maner eftir specifeit, frelie, purelie, symplie and irreuocablie, be the tennour heirof renunceis, dischairgis, simpliciter quytclamis and ouregivis, to the said Jhone Grant, his airis and successouris, all rycht, tytle, interest and kyndnes, quhilkis he haid, hes or in onye tyme cuming may hawe in or to the saidis landis and baronye of Rothiemwrkus, twre, fortalice, milnis, woodis, fischingis, partis, pendiculis and pertinentis, or onye part thairof for now and evir: And also the said Lauchlane M^cYntoyschie bindis and obleissis him, his airis and successouris, till fortefie, mentene and assist the said Jhone Grant now of Frewquhie, his kin and freindis, and thair airis in the paceable iosing, brwking, occupeing, laboryng, setting and resing of tennentis at thair pleasour of thair landis of Lagane, Ballinespik, Rothiemwrquhus, Dalfoure, Raig, Cloyne, Morcloyne, Cantrays, Clavalgis, etc., wyth thair pertinentis, pendiculis and fischingis pertenyng thairto, lyand wythin the schirefdomis respectiue of Inuernes, Narne, Elgine and Forres, and all vtheris rwmis, takis, stedingis, possessionis and landis quhatsumeuir, pertenyng to the said Johane Grant, his kine and freindis, athir in heretagis, takis or possessionis, contrar all deadlie, the auctoritie and erle of Huntlie except: And forther, the said Lauchlane M^cYntoyschie bindis and oblesis him, his airis and successouris, till keip, preserue and defend the landis of Wrquhart, Glenmoreistoun and all vtheris landis and rwmis pertenyng to the said Jhone Grant of Frewquhie and his foirsaidis fray all heirschips, damnage and inconuenientis may be committit or doun thairto in tyme cuming be the Clanchamron, Clanranald, or onye vtheris as he dois his awin landis and boundis: And in cace the samyn be invadit, molestit or trwblit, and incure onye skaytht, heirschips or slauchter, the said Lauchlane sall do his exact diligens and indevoir to revenge the samyn, as gyf it war doun to himself, and as the said Jhone Grant will do in the revenge thairof: And in lyk maner the said Lauchlane sall assist, fortifie, mentene and defend the said Jhone Grant or onye vtheris haweand his powar, tytle and commissione, in the paceable conquessing, brwkane and posseding of sic landis, rwmis and stedingis as ar presentlie or hes bene in the Clanranaldis handis pertenyng to the said Jhone Grant and his foirsaidis, or that he or thae happynis till conques or recover of thair landis in tyme cuming bwt fraude or gyle: For the quhilkis causis abone expremit, the said Jhone Grant of Frewquhye, wyth express consent and assent of his curatouris foirsaidis, bindis and oblissis him, his airis and successouris, be the fayth of his bodie till sufficientlie heretablie infeft and saise the said Lauchlane M^cYntoyschie of Dunnachtane, titulo oneroso, in all and haill the landis eftir specifeit; to wit, in all and haill the half of ane half dawach of land of Farnnaebeg, Fynnarman and Auchnacroy, the half dawach of the landis of Awchchoulych and Breanetorroche, the half dawach of the landis of Cwlchorkie, Auchmaloch and Blairgarrok, in all and haill the half dawach of the landis of Abermuis, Awchterterce, Attich, the half dawach of the landis of Auchmair, Killochter, extending to nyne merkis land of ald extent, in Lochailsche, pertenyng

sumtyme to Ewin McConyll, oy and air to wmquhill Ewin Allanesoune of Locheild; and in all and haill the dawach of land of Auchbeane, the dawach of land of Awchnatorrik, the dawach of Strome Castell, Ardingald, Ardnanaskine and Blayth, and in the quarter of ane dawach of land of Tamnachtane, extendline to threttene merkis land of ald extent of the landis of Kesseryne, wyth the castell and fortalice of Strome, and office of constabularie of the samyn, pertenyng sumtyme heretablie to the said wmquhyll Ewin McConyll and appraysit frae him be wmquhill James Grant of Frewquhie, wyth thair pendiculis and pertinentis, lyand within the schirefdome of Inuernes: And to that effect, sall mak and delyuer, at the lest sele and subscrywe, to the said Lauchlane, his airis and assignais, ane sufficient chairtour of alienatione, titulo oneroso, contenyng ane precept of saising, vpon all and sindrie the landis abone expremit, contenyng all clausis of warrandice wsit in commoun style of chairtouris of alienatione sic as frome forfaltour, purpresture, recognitionis, assignationis, dispositionis, reclamationis, disclamationis, venditionis, alienationis, coniunctfeis, publict and previe saisingis, lang takis, and frome all vtheris damnage, perrellis and inconuenientis, in sa far as may concerne the said Jhone Grant of Frewquhye his awin deid, and wmquhill James Grant of Frewquhye his grandschere, and wmquhyll Johane Grant of Frewquhye his gwdschear, thair awin deidis alanerlie; and sall gyf to the said Lauchlane and his foirsaidis, sic rychtis and tytles as the said Jhone Grant of Frewquhye hes or may get of the saidis landis be verteu of the comprysing thairof, wyth sic ald evidentis as he hes or may get of the foirsaidis landis pertenyng sumtyme to the said wmquhill Ewin Allansone of Locheild, his airis or successouris alanerlie: And the saidis landis to be haldine be the said Lauchlane and his airis of the Kingis Grace and his successouris, kingis or quenis of Scotland, be seruice of waird and releyf, quhairbe the said Lauchlane and his foirsaidis may be sufficientlie heretablie infeft and sasit in the haill foirsaidis landis betwyxe the dait heirof and the fest of Martimes in winter nyxt to cum: And als the said Jhone Grant of Frewquhye, wyth consent and assent foirsaid, bindis and oblissis him faythfullye, his airis and successouris, till fortifie, assist and menteyne the said Lauchlane McYntoyschie, his kine, freindis, and thair airis, in the paceable iosing, brwking, occupeing, laboring, setting and resing of tennentis at thair plessouris of thair landis of Lochquhabir, sic as apertenis heretablie thairof to the said Lauchlane; and in all vthiris rwmis, takis, stedingis, possessionis and landis quhatsumevir, pertenyng to the said Lauchlane, his kine and freindis, athir in heretage, takis or possessionis, contrar all deidlie, the auctoritie and erle of Huntlye except: And siclyke, gyf it sall happin onye skaythis, heirschips or slauchteris, to be doin or committit vpon the said Lauchlane McYntoyschie, his kine, freindis or landis of Lochquhabir, or in vtheris landis and rwmis pertenyng to the said Lauchlane and his foirsaidis, be the Clanchamroun, Clanranald or onye vtheris, the said Johane Grant and his foirsaidis sall do thair exact diligens and indevoir for the revenge thairof as gif it war doun to himself, and as the said Lauchlane sall do in the revenge of the samyn: And forther, becaus the said Jhone Grant of Frewquhye

at the making heirof is wythin minoritie and nocht of perfyt aige of tuentie ane zeiris, and that thairfor the infeftment of the foirsaidis landis now to be maid be him in his minoritie can nocht be to the said Lauchlane and his airis so sufficient ane infeftment as neid requyris, quhilk may be greit hurt and preiudice to him, gyf the samyn beis not reformit and maid sufficient agane be the said Jhone Grant, his airis or successouris, being of perfyt aige, in respect of the said greit swme of monye of tuentye thousand merkis monye realie payit and delyuerit in nwmerat monye to the said Jhone Grant be the said Lauchlane at the making of thir presentis, as said is, the conquessing and purchessing quhairof hes bene verie costlie and sumptuus to him; thairfoir the said Jhone Grant, wyth consent and assent of his saidis curatouris, faythfullie bindis and oblisis him, his airis and successouris, that wythin the space of fourty days nyxt eftir he beis of perfyt aige of twentie ane zeiris compleit athir than in his perfyt [aige,] till ratifie, apprewe and affirme attenticlie and sufficientlie the infeftment of the foirsaid landis now to be maid be the said Jhone Grant to the said Lauchlane in his minoritie, than and thaireftir in [all tyme cuming] to be als sufficient and valiable as gyf the samyn haid bene maid be him in his perfyte aige, or than sall mak and delyuer, at the lest sele and subscrywe, to the said Lauchlane and his foirsaidis, ane new sufficient infeftment vpon the haill foirsaidis landis, conforme in effect to the infeftment to be maid now of the foirsaidis landis, quhairbe the said Lauchlane and his foirsaidis may heretablie jois and brwke the samyn in all tyme thaireftir cuming; and that at the optione of the said Lauchlane and his foresaidis: And gyf it sal happin (as God forbid it do,) that the said Jhone Grant, his airis or successouris, being of perfyte aige of twentie ane zeiris, refuse till ratefie, apprewe and affirme, attenticlie and sufficientlie, the infeftment of the foirsaidis landis now to be maid, as said is, or till mak ane new infeftment sufficient thairupon as is befoir expremit, wythin the space foirsaid, thae being desyrit and requyrit tharto be the said Lauchlane, or vtheris in his name haweand his powar and commissione thairto, than and in that cace the said Jhone Grant, wyth consent and assent foresaid, faythfullie bindis and oblissis him, his airis, successouris, executouris, and assignais, till refund, satisfie, content and pay to the said Lauchlane, his airis, executouris or assignais, the said swme of twentie thousand merkis monye foirsaid: And for the mair securitie of payment thairof, Jhone Campbell of Calder, Patrik Grant of Rothiemwrquhus, Jhone Grant of Kinbeathe, and James Grant of Aucharnek, of thair awin free motywe willis, be thir presentis becumis cautionaris, souerteis and full dettouris, for the said Jhone Grant of Frewquhye till content and pay to the said Lauchlane and his foirsaidis the swme of ten thousand merkis in part of payment of the said swme of tuentie thousand merkis, as eftir followis; that is to say, the said Jhone Campbell till content and pay the swme of thre thousand merkis, Patrik Grant of Rothiemwrquhus the swme of thre thousand merkis, the said Jhone Grant of Kinbeathe the swme of tway thowsand merkis, and the said James Grant the swme of tway thousand merkis monye foirsaid, in compleit payment of the said swme of ten thousand merkis: And the said Jhone

Grant of Frewquhie, wyth expres consent and assent of his foirsaidis curatouris, bindis and oblissis him faythfullie, his airis, successouris, executouris and assignais, till thankfullie refwnd, satisfie, content and pay to the said Lauchlane and his foirsaidis the swme of vthir ten thousand merkis, in compleit payment of the said haill swme of twentie thousand merkis monye; and the samyn haill swme to be payit and delyuerit be the foirsaidis cautionaris, souerteis and full dettouris, thair airis, executouris and assignais, and the said Jhone Grant and his foirsaidis respectiue as is befoir writtine, to the said Lauchlane and his foirsaidis, in cace of refusall foirsaid, wythin the space of saxt monethis nyxt eftir the refusall of the said Jhone Grant or his foirsaidis, being of perfyt aige of twentie ane zeiris, athir till ratefie, apprewe and affirme the infeftment of the foirsaidis landis now to be maid, or than till sele, subscrywe and delyuer to the said Lauchlane and his foirsaidis ane new sufficient infeftment thairupon, at the optione of the said Lauchlane and his foirsaidis, as thae salbe requyrit thairto, in maner abone rehersit: And the said Jhone Grant of Frewquhie bindis and obleissis him, his airis, successouris, executouris and assignais, faythtfullie till warrand, releif and keip skaythles the saidis Jhone Campbell of Calder, Patrik Grant of Rothiemwrquhus, Jhone Grant of Kinbeathe and James Grant of Auchcharnok, thair airis, executouris and assignais, of the said swme of ten thousand merkis, ilk ane of thame respectiue for thair awin partis thairof, at the handis of the said Lauchlane M^cYntoyschie and his foirsaidis, at the terme foirsaid: And gyf it sal happine (as God forbid it do) that the said Jhone Grant of Frewquhye, his kine, freindis, serwandis or tennentis, offend till onye of the said Lauchlane M^cYntoyschie, his kine, freindis, serwandis or tennentis, or zit that the said Lauchlane M^cYntoyschie, his kine, frendis, serwandis or tennentis offend till onye of the said Jhone Grant, his kine, frendis, serwandis or tennentis, in thair bodeis, gwdis or geir, in onye tyme cuming, and the samyn being complanit vpon be the said Lauchlane, his kine, freindis, etc., to the said Jhone Grant of Frewquhye, or be the said Jhone Grant, his kine, freindis, etc., to the said Lauchlane M^cYntoyschie; in that cace, the saidis Jhone Grant and Lauchlane M^cYntoyschie sall, wyth sic diligens as thae gwdlie may, eftir the complaint be maid to thame or athir of thame, as said is, caus conuene tway gentillmen of thair kine on athir syd, lest suspect, quhae sall tak tryall and coguitione vpon sic offensis as sal be committit on athir syd, as caus sall requyre; and sall caus repair and amend the samyn to the partie offendit, according to the offens that sall happin to be committit in bodie, gwdis or geir, sway that thair salbe na caus nor occasione of ony feade, braik or discord, in onye tyme cuming betwyxe the saidis parteis, thair kine, serwandis or tennentis; and the said tryall and cognitione to be takine in maner foirsaid wythin the space of ane moneth eftir the offens sal happine to be committit and complaint maid tharupon, as is abone writine: And forther, be resone the said Jhone Grant of Frewquhye as zit is not heretablie infeft and saisit in the landis of Lochalische and Kesserine abone expremit, albeit he at his perfyt aige sele, subscrywe and delyuer to the said Lauchlane M^cYntoyschie ane new infeftment vpon the foirsaidis landis, or zit ratefie, apprewe and afferme

the infeftment now to be maid tharupon, zit the samyn can on no way be sufficient to the said Lauchlane till tak saising and possessione heretable thairbe, on to the tyme that the said Jhone Grant salbe first heretablie infeft and saisit thairintill; thairfoir, the said Jhone Grant, wyth consent and assent of his saidis curatouris, bindis and oblissis him fayithtfullie till do his exact diligens till purches him self to be sufficientlie seruit be brewe of inquest in the saidis landis, athir be dispensatione of his minoritie or at his perfyt aige; and thareftir wyth all diligens till obtene himself to be dewlie infeft and saisit in the saidis landis, that the said Lauchlane and his foirsaidis thareftir may be sufficientlie infeft and saisit in the landis abone expremit; the said Jhone Grant oblissing as said is heirto, himself, his airis and successouris, bwt fraude or gyll: And gyf this contract be nocht so sufficientlie maid to the effect abone writtine as neid requyris, bayth the saidis parteis and curatouris abone writtine for thair interes, and als as souerteis, cautioneris and full dettouris, and the said Jhone Campbell of Calder as ane of the souerteis and fwll dettouris abone writtine respectiue, ar contentit and consentis be thir presentis that the samyn be reformit agane be the advyse of the maist lernit men of law in Edinburgh, keipand the substantialiteis thairof; and the samyn being reformit, oblissis thame hinc inde respectiue till subscrywe the samyn of new agane, as neid sall requyre: And bayth the saidis parteis and the curatouris, cautionaris, souerteis and full dettouris respectiue foirsaidis, hinc inde bindis and oblissis thame, and athir of thame hinc inde for thair awin part, thair airis, successouris, executouris and assignais, fayithfullie till obserwe, keip and fulfill this present contract and everie poynt, claus and articull thairof, in forme and effect as is abone writtine, in sa far as concernis thame and athir of thame hinc inde for thair awin partis, vnder the pane of periurie, defamatione and violatione of thair fayth and fidelitie in all tyme cuming: And for the mair securitie thairof, bayth the saidis parteis, the said Jhone Grant of Frewquhie wytht consent and assent of his saidis curatouris, and the cautionaris, souerteis and dettouris abone mentionat, for thair part, ar contentit and consentis hinc inde that this present contract be insert and registrat in the bwkis of counsall, and the samyn to hawe the strentht of ane iudicial decreit of the lordis thairof, and thair auctoritie to be interponit thairto, that executoriallis of poyndyng, hornyng or warding, may pas thairupon vpon ane simple chairge of ten days in forme as effeiris: And to that effect, the said Jhone Grant of Frewquhye, wyth consent of [his] curatouris foirsaidis, and the saidis curatouris for thair interes, and als the saidis Jhone Campbell of Calder, Patrik Grant of Rothiemwrquhus, Johne Grant of Kynbeathie and James Grant of Aucharnnaik, as cautionaris, souerteis and full dettouris foirsaidis, hes constitut thair procuratouris, coniunctlie and seueralie, and the said Lauchlane M^c^Yntoyschie of Dunnachtane hes constitut his procuratouris, coniunctlie and seueralie, till compeir befoir the lordis of counsall quhatsumevir day and place conuenient, and thair till consent to the registring of this contract abone writine to the effect foirsaid, actis, and instrumentis thairupon till tak and requyre, and generalie, etc. Promitten. de rato et grato, etc. In

witnes heirof bayth the saidis parteis, curatouris for thair interes and catiounaris, souerteis and full dettouris abone expremit respectiue, hes subscriuit thir presentis wyth thair handis, as eftir follows, day, zeir and place foirsaidis, befoir thir witnes, James M^c^Yntoyschie of Gask, Angus M^c^Yntoyschie of Termit, Neill Grant, seruitour to the said Jhone Grant of Frewquhie, Maisteris Martene Logye, and William Gregor, connotaris.

JHONE GRANTT off Frewquhy.[1]
PATRIK GRANT off Rathamurchovs.
JHONE CAMPBELL off Calder, cationar.

Johne Grant of Kynveachie and James Grant of Auchernect with our handis at the pen led be M^r^ W^m^ Gregour, notar publict, at our command.

Ita est, magister Willelmus Gregour notarius publicus, de mandato dictorum Johannis et Jacobi scribere nescientium, in premissis rogatus et requisitus, teste manu propria scripsit.

151. BOND OF MAINTENANCE by GEORGE EARL OF HUNTLY to JOHN GRANT of Freuchie. 31st July 1586.

BE IT KEND till all men be thir presentis quhome it effeires, ws, George Earl of Huntlie, Lord Gordoun and Badzenoch, etc., and leiuetenent-general of the north partis of Scotland, for ws our airis and posteritie, to haiff taine in our speciall retenew, mantenance, and freindschipe, Johne Grantt of Frewquhye, his kin, freindis, assisters, and parttakers, quhome we bind and obleiss ws and our foirsaidis to mantein, assist, fortifie and defend aganis all persones within the realm of Scotland (the persoun of our Souerane Lord and his Hienes successouris onlie exceptit,) in all thair leiffull caussis and effearis. In witnes quhairof and suir obseruing of the same, we haiff subscryuit thir presentis with our hand, at Elgein, the last day of Julii, the zeir of God 1586 zeiris; befoir thir witness, William Sutherland of Duffus, Jhone Gordoun of Petlurge, John Gordoune of Bukkie, M^r^ Frances Cheyne of Cragye.

HUNTLYE.

Induring the said Jhone Grantt of Frewquhyes lyftyme allanerlie.

152. BOND by JOHN GRANT apparent of Carron to JOHN GRANT of Freuchie, as his chief. 18th November 1587.

BE IT KEND till all men be thir presentis, me, Jhone Grant, apperand of Carron, to be bound and oblist, and be the tennor heiroff bindis and oblisis me, my airis and assignais, to ane honorabill man, Jhone Grant off Fruquhye, my cheiff, his aris and assignais, in maner

[1] A duplicate of the above contract is signed by "Lauchlan Makintosche of Dunnachtin."

fallowing: That is to say, forsamekle as the said Jhone Grant off Fruquhye is content, and be thir presentis consentis that I the said Jhone Grant, apperand off Carrone, his kynnisman, peceablie entir to the towne and landis off Culquhoch vith the pertinentis, lyand vithin the lordschipe off Stradowin and schireffdome off Banff, and posses, labor, and occupie the same with his fauour and kyndnes fra thyne furth, be sic rycht and titill as I may gett or obteine thairto, off quhatsumewir persoun or personis haiffand rycht to the same in tyme cuming: Thairfoir to be bound and oblist, and be the tenour heiroff bindis and oblisis me, as said is, that in cais I, the said Jhone Grant, apperand off Carroun, my airis or assignais, dispoune, annalie, or put away the said towne and landis off Culquhoch or my kyndnes thairoff to onay persoun or personis, by and vithoute the expres consent and assent off the said Jhone Grant off Fruquhy, my cheyff, and his foirsaidis haid and obtenit thairto, or suffer vtheris to possess and labor the same, or haiff entres thairto, in my defaltt, by the said Jhone Grant off Fruquhye and his foirsaidis, the same being tryitt be the said Jhone Grant off Fruquhye and his airis and thair honorabill freindis off the suirname off Grantis; in that cace, I, the said Jhone Grant, apperand off Carroun, bindis and oblisis me and my foirsaidis, in the maist ample and suirest forme off obligatioun, to make, giff and delywer to the said Jhone Grant off Fruquhye and his foirsaidis ane sufficient assedatioun off the towne and landis off Ballatrowane vith the pertinentis, lyand within the lordscheipe off Stradowin and schireffdome off Banff, for all the dayis, zeiris and termis off nynetene zeris nixt efter his entres thairto, quhilk salbe and begyne at Vitsonday nixt efter the taking off the said tryall, as is afoir mentionatt, for zeirlie paymentt off the sowme off tene markis allennarlie: And alsua bindis and oblissis me and my foirsaidis anefauldlie, lelelie and trewlie, to serue and honour the said Jhone Grant off Fruquhye and his foirsaidis as my cheiff and maister in all tyme cuming, as the rest off the gentillmen off his kin and suirname dois: And the said Jhone Grant off Fruquhye, and his foirsaidis sall fortifie, mantene, and assist me and my foirsaidis in our honest causis, as becumes thame, off the dewetie of ane honorabill cheiff and maister to do to his kynnisman and seruand, but fraud or gyll: In vitnes off quhilkis, I haiff subscrywitt thir presentis vith my hand, at Balachastell, the xviij day off Nouember, the zeir off God ane thowsand fiwe hundreth and fourscoir sewin zeris; befoir thir vitnes, Patrik Grant off Rathamorchis, Archibald Grant in Ballatom, James Grantt off Auchernete, Neill Grant, and Mr Villiam McGregour, seruitoris to the said Jhone Grant off Fruquhye.

JOHNE GRANT, appeirand of Carrne.

153. COMMISSION OF JUSTICIARY by KING JAMES THE SIXTH to GEORGE EARL OF HUNTLY, JOHN GRANT of Freuchie and others, against ALLAN McCONILL DOW, Captain of Clan Cameron, etc. 27th March 1588.

JACOBUS Dei gratia Rex Scotorum, omnibus probis hominibus suis ad quos presentes litere peruenerint, salutem: Sciatis quod Allanus McConill Dow, capitanus de Clanchanron in

Lochabir, Joannes alias Ewyn Makconill M^cEwyn ibidem, Allanus Makanedewe M^cEwin ibidem, Donaldus M^cAnedwy M^cEwin ibidem, Joannes alias Ewyn M^cAne Makrollane in Inuerloquhy, Alanus Makewin M^cAne Makewin M^cAne eius filius, Joannes Moir Makallane M^cEwyne in Talvart, Alexander Makalane M^cEwyne, eius frater, Joannes Oige M^cAllane M^cAne, eius iunior frater, Joannes M^cAllexander Dwe in Blairnetbrath, Alexander Dwe eius filius, Joannes M^cAne M^cAlexander, eius filius, Joannes alias Ewyn M^cConeill M^cKewyn in Orroche, Donaldus Barrache, eius frater, Allanus M^cAne Dwe M^cEwyn in Banwe, Donaldus M^cAne Dwe, eius frater, Dowgallus alias Doull Oge M^cCull M^cConiche Roy in Strome, Joannes M^cConche M^cWilliam in Mussorlythe, Donaldus M^cConiche M^cWilliam in Banwe, Donaldus M^cDonald M^cEwyn ibidem, Donaldus M^cAne M^cConiche in Inuerersk Mullyne, Joannes alias Ewyn Bane M^cAne M^cAlexander in Bar, Joannes alias Ewyn M^cConiche M^cEwyne in Athenascull, Duncanus Bane M^cFindlay in Crewe, Duncanus eius filius ibidem, Willelmus M^cConiche Bane, Joannes M^cWilliam, eius filius, in Kallache, Lachlanus M^cEwyne in Fassaforine, Joannes M^cAnedwe Makewyne in Kandlochete, Dorlatheus M^cWilliam in the Corpathe, dominus Joannes M^cFaill in Kilmailze, Jacobus M^cConill VikWran in Annot,

M^cCarlach M^cWilliam Moir in Toreveyg, Alexander M^cRanald in the Gargaveyche in Lochabir, Ronaldus M^cRannald, eius frater, Joannes M^cAne Oig in Glenco, Alexander M^cAne Oig ibidem, eius frater, cum suis complicibus et aliis eorum causatione, mandato, assistentia, et ratihabitione, quotidie ac noctuatim, nostros liegios in copiis vagabundorum et oppressorum, contra parliamenti nostri acta, diuersis his annis elapsis conuocant; et presertim in mensibus Junii, Julii, Augusti, Septembris et Octobris, anno Domini millesimo quingentesimo octuagesimo quarto, ac quotidie et continuo dehinc committunt lie sornyng, depredationes, ignis incendium, furtum, oppressionem, murthuram, homicidium, aliaque detestabilia et odiosa crudelia crimina, super nostris fidis subditis habitantibus infra bondas de Lochabir et Glengarvie, aliasque partes ea circa iacentes, iacentes infra vicecomitatum nostrum de Inuernes, contra tenorem dicti acti nostri parliamenti: Iidem neque penas in eodem contentas nihili referentes, sed in suis nequitiis quotidie perseuerantes et continuantes, absque punitionis omni timore in malum exemplum aliorum talia committere, sicuti adhuc non cessant, dietim et noctuatim, perseuerare et continuare in talibus crudelibus et maliciosis attemptatis: Et ob non inuentionem cautionis ad subeundum legem pro eisdem nostri rebelles debite et legitime denunciati ac ad cornu nostrum positi sunt, vicesimo quarto die mensis Nouembris anno Domini millesimo quingentesimo octuagesimo quarto, ac legitime in libris vicecomitis nostri de Inuernes registrati, ad quem processum cornu dicti malefactores continuo remanserunt et adhuc minime relaxati remanent, occasionem inde capientes in eorum vsitato nequissimo ac bestiali more anterecitato perseuerare et continuare, nullam punitionem timentes, sicuti nulla lex nec iusticia aduersus eos exequi potuisset, pro quorum insolentie repressione et consimilium crudelium attemptatorum in futurum euasione fecimus, constituimus, creauimus et ordinauimus, ac tenore presentium facimus, constituimus, creamus, et ordinamus predi-

lectum nostrum consanguineum et consiliarium, Georgium comitem de Huntlie, dominum Gordoun et Badzenoch etc., Lachlaund M^c^Intoische de Dunnachtane, Joannem Grant de Freuquhy, dominum Patricium Gordoun de Auchindoun, militem, et Thomam Gordoun de Cluny, coniunctim et diuisim, nostros in hac parte iusticiarios, infra omnes bondas de Lochabir aliasque vbi contigerit dictos rebelles reparare et inueniri, ad effectum subscriptum: Dantes, concedentes, et committentes dictis nostris in hac parte iusticiariis, coniunctim et diuisim, nostram plenam potestatem et mandatum speciale, omnes et singulos dictos rebelles, lie sorneris, nebulones et vagabundos, commissores criminum prescriptorum, eorum receptatores et supplicatores, vbicunque sint, vel remanere contigerint, capiendi, apprehendendi, et incarcerandi, eosque assise cognitioni ponendi, et prout culpabiles seu innocentes reperti fuerint, iusticiam super eos secundum regni nostri leges ministrandi; et ad hunc effectum, iusticiarie curiam seu curias, vnam vel plures, statuendi, inchoandi, affigendi, affirmandi, tenendi, et quoties opus fuerit, continuandi, sectas vocari faciendi, absentes amerciandi, exitus, amerciamenta et escaetas dictarum curiarum petendi, leuandi et percipiendi, vnam, videlicet, dimedietatem eorundem nostro vsui importandi, ac computum in scaccario nostro inde faciendi, alteramque dimedictatem suis propriis vsibus pro eorum laboribus applicandi, deputatos sub ipsis, vnum seu plures, cum clericis, seriandis adiudicatoribus, ac omnibus aliis officiariis et curie membris necessariis faciendi, creandi, substituendi et ordinandi pro quibus respondere tenebuntur, assisam seu assisas, vnam vel plures, meliorum et digniorum personarum infra bondas prescriptas, ad numerum sufficientem ad exeundum super assisam dictarum culpabilium personarum, quamlibet personam sub pena quadraginta librarum summoniendi, premonendi, eligendi, et iurari causandi: Et si contigerit dictos rebelles eorumue aliquem ad fortalitia, castra seu domos euadere pro punitionis et apprehensionis euasione, ignem excitandi, omnique alio hostilitatis ingenio pro eorundem apprehensione vtendi: Et si contigerit aliquem eorundem in dicta prosequutione ledi, occidi, seu mutilari, volumus et concedimus, ac pro nobis et successoribus nostris decernimus et ordinamus, quod nullum crimen commissoribus inde imputabitur et nunquam in futurum criminaliter aut ciuiliter quouismodo inde vocabuntur, sed in eorum personis, terris, et bonis ab omni pena et periculo que inde sequi poterit simpliciter absoluabuntur: Quare, presencium tenore precipimus et mandamus omnibus et singulis nostris liegiis infra vicecomitatus nostros de Inuernes, Cromartie, Murray, Narne, Banff, et Abirdene, quatenus ipsi et eorum quilibet more bellico, armati cum prouisione viginti dierum cum dictis nostris in hac parte iusticiariis, coniunctim et diuisim, concurrant, fortificent et assistant in perscrutatione, inuestigatione, captione et apprehensione dictorum rebellium et eorundem cognitioni assise positione, vel alias si contigerit eos fugitiuos esse, eos igne et gladio prosequendi, sub pena amissionis vite, terrarum et bonorum: Mandamus etiam predilecto nostro consanguineo Argadie comiti, et Lachlane M^c^Clane de Dowart, quod illi nec eorum aliquis publice seu priuate recipiant seu fortificent dictos rebelles

eorumque aliquem in aliquibus suis terris aut dominiis, sub dicta pena ; et generaliter cum potestate dictis nostris commissionariis eorumque deputatis omnia alia et singula faciendi, dicendi, gerendi et exercendi, que in premissis et circa ea necessaria fuerint seu quomodolibet opportuna. Datum sub testimonio nostri magni sigilli, apud Halyrudehous, vicesimo septimo die mensis Marcii, anno Domini millesimo quingentesimo octuagesimo octauo, et regni nostri vicesimo primo.

Per signaturam manu S. D. N. Regis subscriptam.

154. Contract between John Grant of Freuchie and Christian Grant and Finlay Farquharson of Auchareachan, her spouse. September 1588.

At the day of September, the zeir of God ane thousand fiwe hundreth and four scoir and aucht zeiris, it is appoyntit, aggreit and finalie endit betuix ane honorabill man, Johne Grant of Fruquhye, with consent and assent of Patrik Grant of Rathymvrchus, Johne Grant of Kinveachie, and James Grant of Auchernett, his curatouris, for thair entres, on the ane part, and Cristan Grant, relict of wmquhill Duncan Grant in Vestir Camedall, and Findlay Farquharson of Auchareachan now hir spous, for his entres, on the wther part, in maner, form, and effect eftir following: That is to say, the saidis Cristan and Findlay grantis and confessis be the tenour heirof, tham selfis, thair seruandis, fameley, cottaris, guidis and geir, lauchfullie and ordourlie flittit and remowit fra the town and landis of Vestir Camedall, with the pertinentis and pendiculis thairof, liand within the lordschipe of Stradown and schirefdom of Banff, to be paciablie bruikit, iosit, sett, vsit, occupeit, and disponit be the said Johne Grant of Fruquhye, his subtenentis and seruandis in his nam, fra thynfurth, as he and thai sall think expedient; and thairfoir hes exonerit and dischargit, lyk as be the tenour of thir presentis exoneris and dischargis the said Johne Grant, his airis, executouris, assignais, tenentis and occupieris quhasumewir, of all action or actionis of eiection, spulzie, intrusion or . . . lence, persewit or intentit, or that ma be persewit or intentit, at the instance of the saidis Cristan and Findlay, or ony wtheris in thair nameis, be thair rycht or titill aganes the said Johne Grant, his curatouris, tenentis and seruandis quhatsumewir, for ony intromission, occupeing or laboring of the saidis landis of Camedall, with the pertinentis, in ony tyme bygane or to cum: For the quhilk caus and wther rasonable causis mowing the said Johne Grant and his saidis curatouris heirto, the said Johne Grant, with consent and assent of his saidis curatouris, is bound and oblist, and be the tenour heirof bindis and oblissis him, his airis and assignais, to fortifie, assist and mantene the saidis Cristan and Findlay in persewing, ingetting and obtenyng fra quhatsumewir person or personis, all guidis, geir, wrettis, contractis, euidentis, chartouris and sasingis pertenyng to the said Cristan Grant, and quhairby scho hes or ma haif rycht or titill to ony landis in vedsett, heretage or terce, throw the deceis of the said wmquhill Duncan Grant: And siclek,

the said Johne Grant, with consent forsaid, bindis and oblisis him in maner forsaid, and promesis faythfullie, that gif it beis foundin that the said Cristan hes rycht and titill be rason of vedset or heretage to ony landis pertenyng to the said Johne Grant, that he sall satisfie and content the saidis Cristan and Findlay for the same, according to her rycht, be the seycht of freindis, and that betuix this and Zewll nixt to cum, in the zeir of God ane thousand fiwe hundreth and fourscoir aucht zeiris instant, but fraud or gyll. In vitnes of the quhilkis, bayth the saidis parteis hes subscryvit thir presentis with thair handis, day, zeir, and place forsaidis, befoir thir vitnes, Farquhar Farquharson in Camesnekist, M^r^ W^m^ Farquharson in Ruythwen, Alister Reauche in Fyndran.

M^r^ W^m^ Farq^r^sone, vitnes.

Farquhar Farq^r^son and Alex^r^ Reauche, with our handis at the pen led be M^r^ W^m^ Gregour, notar publict, at our command.

Cristan Grant and Findlay Farquharson, with our handis at the pen led be M^r^ W^m^ Gregour, notar publict, at our command.

Ita est, Magister Willelmus Gregour, notarius publicus et testis in premissis, de mandato dictorum Findlai et Cristine scribere nescientium rogatus et requisitus, teste manu propria, scripsit.

155. Bond of Manrent between John Grant of Freuchie and Allan Cameron of Lochiel. 30th June 1589.

Be it kend till all men be thir presentis, ws, Johne Grant of Fruquhy and Allan Camron of Locheill to be bound and oblist, and be the tenour heirof bindis and oblissis ws ilk ane to wther, in maner following: That is to say, I the said Johne Grant bindis and oblissis me, as said is, and promittis faythfullie to fortifie, mantene and assist the said Allan and his frendis and dependaris aganes Alister M^c^Conald of Garrowgauche and the inhabitantes and induellaris of Glencho, thair kin, frendis, seruandis and dependaris, in all the said Allanis lesum and honest efferis; and that for luif, fauour and kyndnes quhilkis I beir to the said Allan, and for wther guid deidis done and to be done be him and his forsaidis to me and honour of my houss: And siclek, I the said Allan for my self, my kin, frendis, seruandis, dependaris and partakaris, bindis and oblissis me, and promittis faythfullie to serue, assist, fortifie and defend the said Johne Grant, his kin, frendis, dependaris, and weill and honour of his houss, in all thair lesum and honest adois contrar all mortall, the Kingis Maiestie and the Erll of Huntlie allennarlie exceptit. In vitnes of the quhilkis we haif subscryvit thir presentis with our handis, at Ballachastell, the last day of Junii, the zeir of God m. v^c^ and four scoir nyne zeiris; befor thir vittnes, Patrik Grant of Rathymvrchus, Johne Grant of Kinveachie, Neill Grant and M^r^ William M^c^Gregour, my seruitouris.

Allane Camrone of Lochaeill.

156. Mutual Bond of Friendship between John Grant of Freuchie and Lauchlan M^cIntosh of Dunnachtan. 12th November 1590.

At Forres, the tuelf day of Nouember, the zeir of God j^mv^c fourscoir ten zeiris, it is appoyntitt, agreitt and finallie concordit betuix the rycht honorabill Johne Grant of Frewquhy for him self and his airis, on the ane parte, and the rycht honourabill Lauchlane M^cIntoschie of Dunnachtane and Angus M^cIntoschie, his sone and apperand air, for thame and thair airis, on the vther parte, in manner, forme and effect as efter followis: That is to say, for the proximitie and tendernes of bluid betuix the saidis parteis, and for trew and anefauld perfytt luiff, vnitie, freindschip and kyndnes, to stand and remane perpetuallie betuix the parteis [abone] writtin and thair airis, and the lestie standing weill of bayth the saidis parteis houssis, heretage and possessiones, in all tyme cumyng, the said Johne Grant of Frewquhye bindis and oblissis him and his airis in the maist straitt and suir forme of obligatione that can be dewysitt, that in caice ony erle within this realme wrangouslie or by ordour of law, be thame selfis and thair assisteris, be force or violence, inuadeis, trublis, molestis or persewis the said Lauchlane M^cIntoschie of Dunauchtane, Angus M^cIntoschie his sone, thair airis, kin, freindis and tennentis, thair lyiffis, heritagis or possessiones,—than and in that caice the said Johne Grant of Frewchie and his airis, be thame selfis, thair kin, freindis, assisteris and partetakeris, sall with all guid possibill diligence assist, mantein, fortifie and defend, at the vttermest of thair power, the saidis Lauchlane M^cIntoschie, Angus M^cIntosche, and thair airis, kin, freindis and tennentis, and sall tak trew and anefauld parte with thame in all thair honest and leissum caussis and adois, but fraud, gyll or dissimulatione, aganis ony sic erles as salhappin heirefter to inuade thame by ordour of law, as said is,—the said Johne Grant and his forsaidis being varnit and requeritt thairto be the said Lauchlane, Angus M^cIntosches, and thair forsaidis, vpon the premonitione of fourtie aucht houris varning: And for the better performance, obseruing and fulfilling heirof, the said Johne Grant of Frewquhye sall sufficientlie heretabillie infeft and saise the said Lauchlane M^cIntoschie in all and haill his landis of Balnadarne, Gramynche and Alwe Lochane, with thair partis, pendiculis and pertinentis quhattsumeuer, lyand within the lordschip of Glenchairnych and scherefdome of Elgin and Forres; and to that effect, sall mak and delyuer, at the leist seill and subscryve, to the saidis Lauchlane ane sufficient chartour of alienatione, contening ane precept of seasing and all claussis of varrandice requysitt and vsitt in the commone styll of chartouris of alienationes, quhairbe the said Lauchlane may be heretabillie vestitt and seasitt in the landis abone expremitt, to be haldin of the said Johne Grant of Frewchye and his airis for the zeirlie payment of ane pennye monie of this realme vpon the ground of the saidis landis at the feist of the natiuitie of Sanct Johne the Baptist, in name of blenche ferme, gif it beis requyritt allannerlye: Prowyding alwayes, and vnder this conditione and restrictione following and na vther wayes, that nochtwithstanding that the

said Lauchlane M°Intoschie sal be heretabillie infeft and seasitt in all and haill the landis abone expremitt, zitt neuertheles it sall nocht be leissum to the said Lauchlane M°Intoschie nor his airis till haif ony entrye or possessione in or to the forsaidis landis nor to the vptaking of ony maillis, customes, dewteis, dew service or manrytt of the tennentis, nor setting nor raising of tennentis thairof or of ony parte of the samyn, nocht obstant the said infeftment, wnto the tyme that the said Johne Grant and his forsaidis being lauchfullie requeritt be the said Lauchlane and his forsaidis or vtheris in his or thair names, vpon the premonitione and varning of fourtye aucht houris, as said is, till assist, fortifie, mantein and defend the saidis Lauchlane and Angus M°Intoschies and thair forsaidis at quhatt tyme thei salhappin to be inuadit and persewit wrangouslie or violentlie in thair bodyes, guidis, landis, heretagis or possessiones, be ony erle or erles, as said is; and the said Johne Grant and his forsaidis refusand or delayand to do and performe the samyn, and the samyn being deulie tryitt befoir the lordis of counsell or commissar of Inuerness for the tyme, quhom, or athir of thame, the saidis parteis contracteris admittis iugis competent in this caus and to this effect, and being adiugitt be thame, or athir of thame, to haif failzeit in the premissis to the saidis Lauchlane and Angus and thair forsaidis, than and in that caice it salbe lesum to the said Lauchlane and his forsaidis to haif full, frie, and plane auctoritie and power, be thame selfis and vtheris in thair names, till enter to the peciabill possessione of all and sindrie the landis abone expremitt, lyand as said is, and to iois, bruik, occupie, labour, manure, sett, vse and dispone the samyn; and to wptak and intromett with the haill maillis, fermes, customes, dewteis and dew service of the samyn as thair awin proper heretage and landis in all tym thairefter, at the leist ay and quhill the saidis landis be lauchfullie redemitte and releifit be the said Johne Grant and his forsaidis be payment making to the said Lauchlane and his forsaidis of the sowme of aucht thowsand merkis vsuall monie of this realme haifand cours of payment for the tyme, within the paroche kirk of Inuernes, altogidder in ane sowme vpone ane day betuix the vprysing of the sone and down passing of the samyn, vpon the premonitione of fourtie dayes varning to be maid be the said Johne Grant and his forsaidis to the said Lauchlane and his forsaidis or thair assignays, athir personalie apprehendit or at thair duelling place or paroche kirk for the tyme, vpon ane Sunday in tym of devyne service befoir noone, befoir ane notar and famous witnes; and in caice of absence of the said Lauchlane, his airis or assignais, fra the ressait of the said sowme for redemptione of the saidis landis, being varnit and requyritt thairto in maner forsaid, than it salbe lesum to the said Johne Grant and his forsaidis till numer the said sowme in the said peroche kirk of Inuernes, and thairefter till depone and consigne the samyn in the handis of the prouest and bailzeis of Inuernes being maist responsall for the tyme, and failzeing thairof in the handis of ony vther responsall landit manis handis within the burgh of Inuernes, to be kepitt and furthcumand to the vtilitie and profitt of the said Lauchlane and his forsaidis; and incontinent thairefter, the said Johne Grant, his airis and assignais, to haif als full, frie, and plane ingres, acces and regres agane,

in and to all and sindrye the landis abone rehersitt, and to the heretabill titill and possessione thairof, as he haid befoir the alienatioune of the samyn; and the said Lauchlane and his forsaidis to be haldin and astrictitt to rander and delyuer agane to the said Johne Grant and his forsaidis, all charteris, preceptis, instrumentis of sasing, and vtheris euidentis and documentis quhattsumeuer maid to thame vpon the saidis landis, and the samyn fra thyne-furth neuer to haif strenth, fayth, force nor effect, bot to be in thameselfis, ipso facto, cassit, rescindit, and annullit, in all tyme therefter: And this forme of redemptione to be als valzeabill and affectuabill, for redeming of the landis abone specifeit furth of the handis of the forsaidis Lauchlane M^cIntoschie and his forsaidis, as gif the samyn haid followit vpon the said Lauchlanes awin reuersione subscryuit with his hand, wnder his seill, and conteining all necessar claussis vsitt in commone style of reuersione; to the quhilk the said Lauchlane, for himself, his airis and assignais, be thir presentis, consentis and assentis, without ony oppositione to be maid in the contrair thairof, or exceptione of the law, quhilk he for him and his forsaidis simpliciter renunces for now and euer: And in lyk maner, the saidis Lauchlane and Angus M^cIntosches, for the caussis abone rehersitt, bindis and oblissis thame and thair airis in the maist straitt and suir forme of obligatione that can be dewysitt, that in caice ony erle within this realme wrangouslie, by ordour of law, be thame selfis, thair assisteris, be force or violence inuadis, trublis, molestis or persewis the said Johne Grant of Frewchie, his airis, kin, freindis or tennentis, thair lyiffis, heretage or possessiones, than and in that caice the said Lauchlane and Angus M^cIntoschies and thair airis, be thame selfis, thair kin, freindis, assisteris and partetakaris, sall with all guid possibill diligence assist, mantein, fortifie and defend, at the wttermest of thair power, the said Johne Grant, his airis, kin, freindis, and tennentis, and sall tak trew and anefauld parte with thame in all thair honest and leissum caussis and adois, but fraud, gyll or dissimulatioune, aganis ony sic erlis as sal happin heireftir to inuade thame by ordour of law, as said is, the saidis Lauchlane and Angus M^cIntoschies and thair forsaidis being varnit and requyritt thairto be the said Johne Grant or his airis, vpon the premonitione of fourtie aucht houris varning: And for the better performance, obseruing and fulfilling heirof, the said Lauchlane and Angus M^cIntoschies sall, with ane consent, assent and vnitye of myndis, sufficientlie heretabillie infeft and sais the said Johne Grant in all and haill his landis of Dolnavert, Kynrarenathelye and Lytill Dwnauchtane, with all and sindrie thair pairtis, pendiculis and pertinentis quhatsumeuer, lyand within the barony of Dunauchtane, lordschipe of Badzenoch, and schirreffdome of Inuernes; and to that effect sall mak and delyuer, at the leist seill and subscryve, to the said Johne Grant ane sufficient chartour of alienatione, conteining ane precept of seasing and all claussis of warrandice requisite and vsitt in commoun style of chartouris of alienatione, quhairby the said Johne Grant may be heretabillie infeft and seasitt in the saidis landis of Dolnavert, Kynrarenathelye and Lytill Dwnauchtein, with thair forsaidis; to be haldin of the saidis Lauchlane and Angus M^cIntoschies and thair airis for the zeirlie payment of ane pennye

mone of this realme, vpon the ground of the saidis landis, at the feist of the natiuitie of Sanct John the Baptist, in name of blenche ferme, gif it beis requyritt allanerlye: Prowyding alwayes and vnder this conditione and restrictione following, and na vther wayes, viz., that nochtwithstanding that the said Johne Grant salbe heretabillie infeft and saisit in all and haill the saidis landis of Dolnavert, Kynrarenathelye and Lytill Dwnauchtane, with thair forsaidis, zitt nevertheles it sall nocht be lesum to the said Johne Grant, his airis nor assignais, till haif ony enterie or possessione in or to the forsaidis landis, nor to the vptaking of ony maillis, fermes, customes, dewteis, dew serwice or manrytt of the tennentis, nor setting nor raising of tennentis thairof, or of ony parte of the samyn, nocht obstant the said infeftment, vnto the tyme that the saidis Lauchlane and Angus M^cIntoschie and thair airis, being lauchfullie requyritt be the said Johne Grant or his airis, or vtheris in his or thair names, vpon the premonitione and varning of fourtie aucht houris, as said is, till assist, fortifie, mantein, and defend the said Johne Grant and his forsaidis, at quhatt tym thei sall happin to be inuadit and persewit wrangouslie or violentlie in thair bodyes, guidis, landis, heritage or possessiones, be ony erle or erles, as said is; and the said Lauchlane and Angus M^cIntoschies, or thair forsaidis airis, refusand or delayand to do and performe the samyn, and the samyn being dewlie tryitt befoir the lordis of consell or commissar of Inuernes for the tyme, quhom, or ather of thame, the saidis pairteis contracteris admittis iugis competent in this caus and to this effect, and being adiugitt be thame or ather of thame to haif failzeit in the premissis to the said Johne Grant and his forsaidis, than and in that caice it sal be lesum to the said Johne Grant and his forsaidis to haif full, frie, and plane auctoritie and power, be thameselfis and vtheris in thair names, to enter to the peceabill possessione of all and sindrie the saidis landis abone expremitt, lyand as said is, and to iois, bruik, occupie, labour, manure, sett, vse and dispone the samyn, and till vptak and intromett with the haill maillis, fermis, customes, dewteis and dew service thairof, as thair awin proper heretage and landis in all tyme thairefter, at the leist ay and quhill the saidis landis be lauchfullie redemitt and releifit be the saidis Lauchlane and Angus and thair forsaidis, be payment making to the said John Grant, his airis or assignais, of the sowme of aucht thowsand merkis vsuall mone of this realme haifand cours of payment for the tyme, within the peroche kirk of altogidder in ane sowme, vpon ane day betuix the vprysing of the sone and doune passing of the samyn, vpon the premonitione of fourtie dayes varning to be maid be the said Lauchlane or Angus M^cIntoschies, thair airis or assignais, to the said Johne Grant, his airis and assignais, ather personalie apprehendit or at thair dwelling place or peroche kirk for the tyme, vpon ane Sonday in tyme of dewyne serwice befoir noone, befoir ane notar and famous witnes; and in caice of absence of the said Johne Grant, his airis or assignais, fra the ressaitt of the said sowme for the redemptione of the saidis landis, being varnit and requyritt heirto in maner forsaid, than it sall be lesum to the saidis Lauchlane and Angus and thair forsaidis till numer the said sowme in the said peroche kirk of Forres, and thairefter till depone and

consigne the samyn in the handis of the prouest or bailzeis of the burgh of Forres, being responsall for the tyme; and failzeing therof, in the handis of ony vthir responsall landit manis handis within the scherefdome of Morray. to be kepitt and furthcumand to the vtilitie and profeitt of the said Johne Grant and his forsaidis; and incontinent thairefter, the saidis Lauchlane and Angus and thair forsaidis to haif als full, fre, and plaine ingres, acces and regres agane, in and to all and sindry thair landis abone rehersitt, and to the heretabill possessione thairof, as thei haid befoir the alienatione of the samyn; and the said Johne Grant and his forsaidis to be haldin and astrictitt to rander and delyuer agane to the said Lauchlane and Angus, thair airis or assignais, all chartouris, preceptis, instrumentis of seasing, and vtheris euidentis and documentis quhatsumeuer maid to thame vpon the saidis landis, and the samyn fra thynefurthe, neuir to haif streuth, fayth, force nor effect, bot to be in thame selfis, ipso facto, cassitt, rescindit and annullit, in all tyme heirefter; and this forme of redemptione to be als valzeabill and effectual for the redeming of the landis abone specifeit furth of the handis of the said Johne Grant and his forsaidis, as gif the samyn haid followitt vpon his awin reuersione subscrywitt with his hand, and vnder his seill, and contening all necessar clausis vsitt in commone style of reuersione; to the quhilk the said Johne Grant, for him self, his airis and assignais, be thir presentis, consentis and assentis without ony oppositione to be maid in the contrair thairof, or exceptione of the law, quhilk he, for him and his forsaidis, simpliciter renuncis for now and euir: And gif this present contract be nocht sa sufficientlie maid to the effect abone writtin as neid requiris, bayth the saidis pairteis ar contentitt, and be thir presentis consentis, that the samyn be reformitt agane be the adwys of the maist learnit men of law in Edinburgh, keipand the substantialiteis thairof, ay and quhill the samyn be sufficientlie maid to the effect abone writtin; and the samyn being reformit, bindis and oblissis thame, and ather of thame, till subscryve the samyn of new agane as ather of thame sall be reqwyrit be vtheris: And bayth the saidis parteis bindis and oblissis thame, be the fayth of thair bodyes, to obserue, keip and fulfill this present contract and euerie poynt, claus and article thairof, in sa far as concernis thame and ather of thame, vnder the pane of periurye and defamatione, and violatione of thair fayth and fidelitie in all tyme cumyng: And for the mair securitie thairof, bayth the saidis parteis are contentitt that this present contract be insert and registrat in the buikis of counsell or commissaris buikis of Inuernes, and that the samyn haif the strenth of ane iudiciall decreitt of the lordis of consell or commissaris of Inuernes, and that thair or ather of thair auctorities be interponit thairto, that executoriallis of poynding and horning, the ane nocht preiuging the vther, may pas thairvpon at the will of ather partie vpon ane simple charge of ten dayes in forme as efferis; and to that effect the said Johne Grant of Frewquhye hes constitute his procuratouris, coniunctlie and seuerallie, and the said Lauchlane and Angus M^{c}Intoschies hes constitute thair procuratouris, coniunctlie and seuerallie, to compeir befoir the lordis of consell or commissar of Inuernes, quhatsumeuer day and place convenient, to

the effect abone writin ; actis, instrumentis and documentis thairvpon to tak and requyre, and generally, etc., ferme and stabill, etc. In witnes heirof bayth the saidis parteis hes subscrywit thir presentis with thair handis, day, zeir and place forsaid ; before thir witnessis, Johne Cambell of Calder, Mr. James Grant, brother germane to the said Johne Grant of Frewquhye, Archibald Grant of Belnatome, W^m^ M^c^Quein of Corribroath, subdene of Ros, Johne Annand of Murrestoun and Mr. Martine Logye, notar publict.

Archibald Grant, witnes.
Mr. James Grant, witnes.
Mr. Martene Logye, notar publict, witnes.
Jhone Annand, witnes.

JHONE GRANT off Frewquhy.
LAUCHLAN MAKINTOSCHE of Dunnachtan.
ANGUS MAKINTOSCHE apirand of Dunnachtan.[1]

157. DECREET OF EXEMPTION to JOHN EARL OF ATHOLE, JOHN GRANT of Freuchie, and others, from GEORGE EARL OF HUNTLY'S commission of justiciary and lieutenantry. 20th January 1590.

AT EDINBURGH, the tuentie day of Januare, the zeir of God j^m^v^c^lxxx ten zeiris, the lordis of counsell wnderwritten, thay ar to say, M^r^ William Balze, Lord Prouand, precedent, Adame bischope of Orknay, commendater of Halerudhouss, Sir Patrick Wans of Barnebaroche, knicht, Mr. John Lindsay persone of Menmwre, Mr. Johne Grahme, persone of Killerne, Mr. Dauid Chalmer, chanceller of Ross, William commendater of Tungland, Mark Lord Newbotle, Mr. Dauid M^c^Gill of Cranstone Riddell, aduocate to our souerane Lord, Mr. James Elphinstone of Inuernauchtie, Archebauld Douglas appeirand of Quhittinghame, Alexander Lord Wrquhart, Sir John Seytoun of Barnes, knicht, Sir John Cokburne of Ormestone, knicht, Mr. Thomas Ballintyne of Newtyld, Sir Thomas Lyoun of Auld Bare, knicht, John Lord Thirlestane, chanceller : In the actione and caus perseuit at the instance of Johne Erle of Atholl, Lord Balueyne, etc., James Erle of Murray, Lord Doun, etc., Simoun Lord Fraser of Louett, etc., Lauchlane M^c^Intosche of Dunnauchtane, Johne Grantt of Freuchey, Johne Campbell of Caddell, Patrick Dumbare of Boigholl, tutour of Cumnok, and schereff wardatour of Murray, Collein M^c^Kenze of Kintaill, Rorie M^c^Kenze of Reidcastell, Ross, barrone of Kilraweck, Johne Grant, tutour of Ballindalloche and curatouris to the said Symon Lord Fraser and Louate, etc., aganis George Erle of Huntlie, Lord Gordoun and Badzenoche, etc., and all and sindry his colliges, gif ony be, contenit in the commissioune or commissiounes vnder specifeit : Makand mentioun that quhair it is

[1] There was also a minute of contract made between Lauchlan M^c^Intosh of Dunachtan and John Grant of Freuchie, whereby the former renounces all contracts, charters, and other writs made to him by the said John Grant of the lands of Kessaran, Strome Merach, and Strome Castle, and he thereby dispones the same to the said John Grant ; and the said John Grant agrees to pay Lauchlan M^c^Intosh 5000 merks, etc. Dated at the Yle of May, 25th January 1593. [Original Contract at Castle Grant.]

notourlie knawin to the lordis of counsell quhat deidlie feiddis, querrellis and contraueirseis hes fallin out amangis nobill men, barones and vtheris, vniuersallie ouer all the partis of this realm, be granting of priuate commissiounes of iusticiarie and lieutennendre to certane particulare persones, quhilkis for the mast ware purchest, nocht samekill vpone ane desire thay had to the executioune of iustice and puneschement of offenderis, as to be reuengit vpone persones aganis quhome thay professit euill and inniquitie; quhairof amangis vtheris the saidis perseueris in speciall hes had sufficient pruiff be granting of the late commissiounes of iusticiarie and lieutennendry to the said George Erle of Huntlie, etc., quha vnder cullour thairof hes soucht the liffis and blude of the saidis perseueris, thair seruandis, proper men, tennentis, seruandis, dependeris and partaikeris; brint sindry of thair houssis, rowmes, cornes and possessiounes; intromettit with thair guidis, and committit sindry vtheris ordiner deidis aganis thame, and cheiflie aganis trew men ansuerabill to the lawis: And our souerane Lord hapeing considderatioune thairof, with aduiss of the lordis of secreit counsell, laitlie be his hienes proclamatioune dischargit all sic commissiounes of justiciary of lieutennendrey purchest of befoir, and decernit thame to ces and to haue na forther executioune in all tyme cuming: Nochtwithstanding the quhilk, as the saidis perseueris are informit, the said George Erle of Huntle, etc., hes priuatlie and sinisterlie zit as of befoir (tacita et suppressa veritate, without citatioun or calling of the saidis perseueris or ony vther laufull party), obtenit ane vther commissioune of justiciary or lieutennendry to him selff and certane vtheris his collegis nominat thairin, and thair deputtis, quhais nameis thay knaw nocht, within the boundis and iurisdictioune appertening to the saidis perseueris and ilk ane of thame, thair freindis, seruandis, proper men, tenneuttis, dependeris, assisteris and partakeris,—tending thairby maist iniustlie to call, trubill or persew thame, thair kyn, freindis, seruandis, tennenttis, proper men, partakeris and dependeris, befoir him and his deputtis or befoir his deputtis or thair collegis, and to fence and hald court vpone the saidis perseueris and thair foirsaidis, and to proceid mast wrangouslie and partiallie aganis thame; albeit he, his deputtis nor colleges in the said commission, gif onie be, aucht na wayss to be sufferrit to proceid aganis thame be wertew of onie commissioune grantit or to be grantit to him or thame, for the ressonis following: In the first, in respeck of the deidlie feid notoriuslie knawin standing vnreconcelit betuix the saidis perseueris, thair kyn, freindis, seruandis, parttakeris and dependeris on the ane part, and George Erle of Huntlie, his kyn, freindis, seruandis, partakeris and dependeris on the vther part, throw the slauchter of vmquhill

Sym, seruitour to James Erle of Murray, fischeare on the watter of Spay, committit in the moneth of Junij anno lxxxiiii zeiris or thairby, be Alexander Leslie, than, and as zit, domestick seruitour and tennent to the said George Erle of Huntlie, etc., and likwayss for the cruell slauchter and murdour of vmquhill Allane Grant, kinisman to the said John Grant of Freuchey, at the leist being ane of his surename, committit in the moneth of Maii anno lxxxvii zeiris, be George Erle of Huntlie, his kyn and freindis, specially be Alexander

Gordoun, appeirand of Leischemoir, James Gordoun his sone and appeirand air, Thomas Gordoun in Drumbulge and thair complecess, etc.; and in likmaner for the cruell slauchter of vmquhill Grant, sone to Allester Grant alias Moir, being also ane of the saidis perseueris John Granttis kyn, at the leist ane of his surname, comittit in the moneth of Maii anno lxxxvii zeiris, be hinging of him be the bagestanes, binding of his heid and feitt togidder in the cruik, smuking of him to the deid, be Patrick Gordoun, brother to James Gordoun of Monaltrey, and his complecess be the number of fyve or sex, at the speciall command, hounding and ressetting of the said George Erle of Huntlie, etc.; and alsua for the cruell slauchter of Dauid Mauer, tennent and seruitour to James Erle of Murray, vpone the watter of Spay, committit in the moneth of Julie or thairby anno lxxxviii zeiris, be Thomas Gordoun siclik seruand to George Erle of Huntlie, mentenit and defendit be him, being at the horn for the said slauchter; and likwayss throw the said George Erle of Huntleis his kyn and freindis, be thair maist quiett and cruell interpryss to haue obtenitt James Erle Murrayis place of Darnway, be conveuing of thame selffis in armes to ane grite number, of purpois and mynd to haue enterit thairin be force and craft in the moneth of November last bipast, and to haue bereft the said perseuer, his kyn, freindis and seruandis, being with him, of thair liffis, gif God had nocht defendit thame and prouidit remeid thairto; be the quhilk prouisioune and laufull defence John Gordoun, kinisman and freind to George Erle of Huntlie, was slane, quhairthrow, and be diuerss sindry and vtheris slauchteris and murthouris committit be the said Erle and his freindis vpone the saidis perseueris, thair kyn, freindis, seruandis, partakeris and dependeris, deidlie feid is contract, standing as zit vnreconcelit: In respek quhairof, he, his deputtis nor collegis contenit with him in the said commissioune, aucht naways to be sufferrit to proceid aganis the saidis perseueris and thair foirsaidis be wertew of the said commissioune, bot thay and thair foirsaidis aucht to be simpliciter exemit fra him and his forsaidis, and thay simpliciter discharget of all proceding aganis thame and thair forsaidis be wertew of quhatsumeuer commissioune of justiciary or lieutennendry grantit or to be grantit, as said is: And anent the charge gevin to the saidis defenderis to haue comperit befoir the lordis of counsell at ane certane day bigane, bringand with thame, exhibitand and produceand befoir the saidis lordis of counsell all and quhatsumeuer commissiounes of justiciary and lieutennendry and vtheris quhatsumeuer grantit to thame to haue bein sene and considerit be the saidis lordis, and to haue hard and sein the saidis perseueris, and ilk ane of thame, thair proper men, tennentis, kyn, freindis, seruandis, parttakeris and dependeris, to be simpliciter exemit fra the said George Erle of Huntlie, his collegis and deputtis, and thair commissiounes forsaidis to be grantit to thame in all tymes cuming heirefter, as at mair lenth is contenit in the saidis letteris, the saidis John Erle of Atholl, Lord Balweyne, etc., James Erle of Murray, Lord Doun, etc., Symoun Lord Fraser of Louate, Lauchlane M^cIntosche of Dunnauchtane, John Grant of Freuchey, John Campbell of Caddell, being all personalie present, quha declarit that thay wald all insist in persute of said exemptioune, quhairupone

Maisteris Thomas Craig and Alexander King, procuratouris for the saidis defenderis, askit instrumenttis, and the said Collein M^cKenze of Kintaill and Rorie M^cKenze his brother comperand be Mr. John Moncreiff thair procuratour, and the said William Ross of Kilrawick comperand be Mr. Richert Spens his procuratour, and the said John Grant, tutour of Ballindalloche, comperand be Mr. James Donnaldsone his procuratour, and the said George Erle of Huntlie and his saidis collegis compeirand be Maisteris Thomas Craig and Alexander King thair procuratouris, quha declarit that albeit thay tuke instrumentis of certane the saidis perseueris personall compeirence in maner foirsaid, zit thay wald nawayss be comperand thairin, bot wald altogidder absente: And sua the said Erle of Huntlie and his collegis being laufully summond to this actione, oftymes callit and nocht comperit, the Lordis of Counsell exemies the saidis perseueris and ilk ane of thame, thair proper men, kyn, freindis, tennentis, seruandis, partakeris and dependeris, fra the said George Erle of Huntlie, etc., his collegis and deputtis, and thair commissiounis forsaid, ay and quhill thay be producit and the partie warnit to the productioune thairof; and ordanes John Johnestone in quhais handis the sowme of ten poundis is consignit to deliuer the samin vpe agane to the saidis perseueris, or ony vtheris in thair names haueand thair pouer to ressaue the samin; and ordanes letteris to be derect at the instance of the saidis perseueris or ony vtheris heirupone, gif neid beis, in forme as efferis. Extractum de libro actorum per me, Alexandrum Hay de Eister Kennet, clericum rotulorum registri ac consilii S. D. N. Regis, sub meis signo et subscriptione manualibus.

ALEXANDER HAY.

158. BOND by JOHN GRANT of Freuchie, and the EARL OF MURRAY as cautioner for him, to keep good rule in the country. 9th February 1590.

APUD HALYRUDEHOUS, nono die mensis Februarii, anno Domini j^mv^c nonagesimo: The quhilk day Johnne Grant of Frewchye as principall, and James Erll of Murray Lord Downe as cautioner and souirtie for him, become actit and obleist, coniunctlie and seueralie, that the said Johnne Grant, for himselff and all that he is debtbound to answer for be the lawes and generall band, sall keip gude rule and quietnes in the cuntrie, and nawyse invaid, persew or oppres ony of our souerane lordis subiectis vtherwyse nor be ordoure of law and iustice, vnder the pane of ten thowsand pundis money to the king: And als the said Johnne Grant as principall, and the said erll as cautioner for him, actit and obleist thame, coniunctlie and seueralie, that the said Johnne Grant sall mak his men, tennentis and seruandis, answerable to iustice and satisfie parteis complenand, conforme to the lawis of this realme and act of Parliament maid for quieting of the Hyelandis and Bordouris, in the moneth of Julii, the zeir of God j^mv^c foure score sevin zeris: And the said Johnne Grant band and obleist him, his airis and successouris, to freith and releve the said erll of his becuming cautioun, as said

is, and of all pane, skaith and danger that he salhappin to sustene thairthrow. Extractum per me Willelmum Wylie scribam, sub meis signo et subscriptione manualibus.

WILLELMUS WYLIE.

159. BOND between SIR PATRICK GORDON of Auchindown and the GORDONS, and JOHN GRANT of Freuchie and LACHLAN M^cINTOSH of Dunnachtan, for friendship between the latter and the EARL OF HUNTLY. 22d October 1591.

WE, SIR PATRIK GORDOUN of Achyndown, knycht, Sir Thomas Gordoun of Clunye, knycht, Sir Jhone Gordoun of Petlurge, knycht, and Jhone Gordoun of Glenb[uchett], takand the burdyng wpon ws for the rycht noble and potent George Erle of Hwntlye Lord Gordoun and Badzenoch, etc., as alsua for our selfis, and remanent kyn and freyndis of the name of Gordoun, byndis and obleissis ws and ilk ane of ws wpon our fayth and honouris, the grytt ayth sworne be ws, to rycht honorabill men, Jhone Grant of Frewchie and Lachlane M^cYntosche of Dunnachtane, that thai and ilk ane of thame, thair kyn and freyndis, salbe acceptit and resauit agane in the speciall fauour of the said noble erle, and be with his lordschip wsitt and respeckit in all caces and respeckis als weill and freyndlie as thai war befoir the laitt elestis begowth; and swa alwayis to contenew with his lordschip, swa lang as thai keip thair dewtie and faythfull seruice to his lordschip and his houss, but defectioun; quhilk defectioun, in cace it may be allegit, salbe interpreit be ws four abone wretyne, and with ws the lardis of Fyndlatyr, Balquhane, Drwm and Inuermarkye: And forder, we obleiss ws faythfullie to obtene sufficient relaxatioune of the process of hornyng led aganes the saidis Jhone Grant and Lauchlan M^cYntosche, with ane sufficient discharge and releif of all actioun and perrell that hes followit or may follow or result thairupon to thame: And for the mair suir obseruyng of this our band and oblesyng, we haue found with ws the lardis of Fyndlatyr and Inuermarkye to be bound for faythfull obseruyng heirof, quhome we desyr and allowis, in cace we contrauene this our band in onye poynt, to be freyndis to the saidis Jhone Grant and Lachlane M^cYntosche and enemeis till ws in all tymes thaireftir, to beir witness of our turpitude: Prowydyng alwayis that the saidis Jhone Grant and Lachlane M^cYntosche, thair kyn and freyndis, keip the conditiones and articules subscryuit be thame to ws at the makyng heirof in all poyntis: And this we obleis ws abonewretyne, and with ws the lardis of Fyndlatyr and Inuermarkye, to get ratefeit and appreuit be the said noble erle within tuentie dayis nixt eftir the saidis Jhone Grant and Lachlane M^cYntosche gyf profe of thair guid will to his lordschipis seruice, conforme to thair wreit subscryuit be thame to ws at the makyng heirof: And for suir and faythfull obserwyng of all and syndre the premissis, we byndaris abonewretyne, and with ws the saidis lardis of Fyndlatyr and Inuermarkye, hes subscryuit this present wreit with our handis, at Kynmynnatye, the xxii day of October, the zeir of God ane thousand v^c and fourscoir alewyn zeris; befoir thir witness, Patrik Grant of Rothamurchus,

Archebald Grant in Belleynethome, James Glass of Stroyne, Donald Farquharsone of Tullegarmond, James Ogilwye of Blerak, William Ogilwye in Ower Blerak, and Walter Barclay off Drumdelgye; And sall caus restoir agane sic guidis and geyr as hes beyne takyn away within the assurance, or salbe heireftir, be onye of our kyn, freyndis, assistaris or partakaris, or passis our cuntrethis, at the leist fynd dettouris for the samyn gyf it beis done be strangeris, and caus mak restitutioun gyf it beis done be onye of ouris: And in cace the Clanechamrone or M^{c}Rynnald, or onye of thairis, brekis or hes brokyn the assurance gewyn to the saidis lard of Grant and M^{c}Yntosche, that we salbe ennemeis to thame thaireftir, and assist the saidis lard of Grant and M^{c}Yntosche aganes the brekeris befoir witnes abone wretyn.

PATRIK GORDOUN of Achyndown.
THOMAS GORDOUN of Cluny.
JOHNE GORDONE of Petlurge.
JHONE GORDONE of Glenbuchett.
VALTIR OGILBY of Fyndlatir.
ROBERT INNES off Innermarky.

160. COMMISSION OF JUSTICIARY to LORD FRASER of Lovat, JOHN GRANT of Freuchie, and others. 6th June 1592.

JAMES be the grace of God King of Scottis, to all and sindrie oure liegis and subditis quhome it effeiris, to quhais knaulege thir oure letteris sall cum, greting: Forsamekle as it is vndirstand to ws and lordis of oure secreit counsale that Ronnald M^{c}Ronnald in Garragarth in Loquhaber, Ronnald M^{c}Ronnald his bruthir, Johnne M^{c}Ean Oig in Glenco, Allaster M^{c}Ean Oig his bruthir, Archibald M^{c}Ean Oig, and Allane Roy, alswa his brethir, Allaster M^{c}Ean V^{c}Innes in Kilchonnane, Angus M^{c}Allaster, his sone, Allaster M^{c}Allaster V^{c}Gorrie in Tendies, Donald M^{c}Allaster V^{c}Gorrie, his bruthir, Angus M^{c}Eanduy in Collais, M^{c}Angus, M^{c}Angus, his sonis, Dougall M^{c}Eann in Blairourmoir, Allaster M^{c}Conill V^{c}Corie in Blairourbeg, Hector M^{c}Coneill V^{c}Carliche in Inche, Dougall M^{c}Allan V^{c}Ean Elich, Johnne Don M^{c}Coneill V^{c}Neill in Wester Lenachan, Allaster M^{c}Ean V^{c}Kinlay Roy, Duncane M^{c}Conill V^{c}Corie, Allaster M^{c}Coneill V^{c}Corie, ar suspect and gilty of oppin and manifest oppressioun, murthour, slauchter, soirning, thift and resseit thairof, and vtheris odious and capitall crymes, for the quhilkis being callit to haue vndirlyne oure lawis befoir oure iustice and his deputis, thay tuke the saidis crymes vpoun thame, refused to find souirtie, and wer thairfoir denunceit and declairit rebellis and fugitiues, as in oure vtheris letteris execute aganis thame at lenth is contenit; lyke as zit, the saidis personis continewis in thair accustumat trade of thift, soirning, and oppressioun of oure gude subiectis, in hie and proude contemptioun of ws and oure auctoritie, and encouragement of vtheris to committ the lyke, giff thay be sufferrit to pas ouer vnpvnist: Quhairfoir, we haue maid and constitute, and be thir presentis makis and constitutis our cousing Lord Frasar of Lovatt, Lauchlane M^{c}Intoshe of Dunnauchtane,

Johnne Grant of Freuchy, Patrik Grant of Ballindallach, Patrik Grant of Rathirmurchus, and Johnne Grant of Glenmorestoun, oure iusticeis and commissionaris in that part, coniunctlie and seueralie, to the effect vnderwritin : Gevand, grantand, and committand to thame, coniunctlie and seueralie, oure full power and commissioun, expres bidding, and charge to pas, serche, seik and tak the saidis personis quhaireuir thai may be apprehendit, and to putt, hald and detene thame in sure firmance and captiuitie ay and quhill iustice be ministrat vpoun thame, conforme to the lawis of our realme ; and to this effect courte or courtis of iusticiarie, at quhatsumeuir placeis conuenient, to sett, begin, affix, hald, and continew ; suitis to mak be callit, absentis to amerchiat, vnlawis, amerchiamentis and escheitis of the saidis courtis to ask, lift, and rais, and for the samin, giff neid beis, to poind and distrenzie, and to thair awne vse for thair labouris to apply ; and in the samin courte or courtis the saidis personis to call be dittay, to accuse, and thame to the knaulege of ane assise to putt, and, as thay salhappin to be foundin culpable or innocent, to caus iustice be ministrat vpoun thame, conforme to the lawis of oure realme ; assissis ane or ma, neidfull to this effect, of the personis that best knawis the veritie in the said mater, ilk persone vndir the pane of fourty pundis, to summond, warne, cheis, and caus be sworne ; clarkis, seriandis, dempstaris, and all vtheris officiaris and memberis of courte neidfull, to mak, creat, substitute and ordane ; the escheitis of the personis convict and to be iustifeit to the deid for the saidis crymes to intromett with, and vplift, the ane halff to oure vse to inbring, and compt thairof in our chekker to mak, and the vther halff to thair awne vse, for thair labouris, to apply : And giff it salhappin the saidis personis, or ony of thame, for eshewing of apprehensioun, to flee to strenthis and houssis, with pouer to oure saidis iusticeis and commissionaris, coniunctlie and seueralie, to follow and persew thame, assege the saidis strenthis and houssis, rais fyre, and vse all kynd of force and weirlyke ingyne that can be had for wynning and recouerie thairof, and apprehending of the saidis personis being thairintill : And giff, in persute of the saidis personis or assegeing of the saidis strenthis and houssis, it salhappin the saidis personis or ony of thame, or ony vtheris being in cumpany with thame and assisting thame, or within the saidis strenthis and houssis, to be hurte, slane, or mutilat, or ony vther inconuenient quhatsumeuir to follow, we declair be thir presentis that the samin sall nocht be imputt as cryme nor offens to oure saidis iusticeis and commissionaris, nor personis assisting thame to the executioun of this our commissioun, nor that thai nor nane of thame sall nocht be callit nor accused thairfoir criminalie nor ciuilie, be ony maner of way in tyme cuming, nochtwithstanding quhatsumeuir our actis, statutis, or constitutionis maid or to be maid in the contrair ; quhairanent, and all panes contenit thairintill, we dispens be thir presentis ; exonering and dischargeing thame of all cryme and dangeir that thai may incur thairthrou for euir, be thir presentis : And generallie all and sindrie vtheris thingis to do, exerce, and vse, quhilkis of law or consuetude of our realme are knawne to pertene : Ferme and stable halding and for to hald all and quhatsumeuir thingis salbe laufullie done heirin : Chargeing heirfoir zou all

and sindrie our saidis liegis and subditis, to concur, fortifie and assist our saidis iusticeis in all thingis tending to the executioun of this oure commissioun, and to do nor attempt na thing to thair hinder or preiudice, as ze and ilkane of zow will ansuer to ws vpoun zour obediens at zour vttermost charge and perell. Gevin vndir our signet, and subscryvit with our hand at Halyruidhous, the sext day of Junii, and of our regnne the xxv zeir, 1592.

James R.

S. R. C. secretarius.

161. Bond of Manrent between John Grant of Freuchie and John Dow M^cGregor, brother of Alister M^cGregor of Glenstray. 20th June 1592.

At Abirnethie, the tuentie day of Junii, the zeir of God ane thousand fiwe hundreth and four scoire tuelf zeiris, it is concordit, aggreit, faythfullie bound and oblist betuix ane honorabill man, Johne Grant of Fruquhye, for himself, his airis, successouris, kin, frendis and dependaris on the ane part, and Johne Dow M^cGregour, brother german to Alister M^cGregor of Glenstray, for himself, his seruandis, dependaris and partakaris on the wther part, in maner, forme and effect as eftir followis: That is to say, the said Johne M^cGregour, for him self, his seruandis, dependaris, parttakaris and assistaris, for diuerse guid deidis done and to be done to him be the said Johne Grant, and for the auld frendscheip and kyndnes betuix thair predicessouris, and for the causis following, is bound and oblist, and be the tenour heirof bindis and oblissis him and his forsaidis, and promesis faythfullie to concur, assist, fortifie and serue the said Johne Grant, his airis and successouris, and sall lelelie and treulie tak awfauld and trew pairt with him and his forsaidis in all actionis, questionis, querrallis, debaittis, persuitt or defence that the said Johne Grant and his forsaidis hes or hapnis to haif ado aganes quhatsumeuer person or personis, our souerane Lord and his autoritie and my Lord of Argyll onlie exceptit, as the remanent of the said Johne Grantis awin frendis, kin and suirname, dois, in all tymes cuming to the vttermaist of his powar: For the quhilk caus and wther rasonable causis mowing the said Johne Grant heirto, the said Johne Grant is bound and oblist, and be the tenour heirof bindis and oblissis him, his airis and successouris, and promesis faythfullie to fortifie, mantene and defend the said John Macgregour, his seruandis, dependaris and part takaris, and sall lelelie and trewlie tak awfauld and trew part with him and his forsaidis in all the saidis Johne M^cGregouris and his forsaidis honest actionis, questionis, querrallis, debaites, persuit or defence that the said Johne M^cGregor and his forsaidis hes or hapnis to haif ado aganes quhatsumewir person or personis, our souerane Lord his autoritie and my Lord of Huntlie onlie exceptit, as the said Johne Grant dois or hapnis to do with the raist of his awin kin and frendis in all tymes cuming; and promesing faythfullie that fra thinfurth to esteme and persew the said Johne Grantis onfrendis as faes and onfrendis to the said Johne M^cGregour, and lyk maner of thair frendis at all tymes heireftir: And the said Johne Grant, for himself and his forsaidis, bindis and oblissis him, and

promesis faythfullie that he sall nothir aggre, intercommond, tak assurance nor compone with nane of his onfrendis by the said Johne M^cGregour, bot sall do for the said Johne M^cGregour, his honour and profeit, in all respectis as the said Johne Grant hapnis to do for the remanent of his awin kin and frendis, but fraud or gyll. In vitnes of the quhilkis, bayth the saidis parteis haif subscryvit thir presentis with thair handis as followis, day, zeir and place forsaidis; befor thir vitnes, honorabill men, William Gordon of Geych, Patrik Grant of Rathymvrchus, Patrik Grant of Ballnadallauch, Gregour M^cGregour, son to wmquhill Owin M^cGregour, John Dow M^cWilliam M^cGillichallum.

JHONE GRANT off Frewquhye.
WILLIAM GORDON of Gycht, witnes.
PATRIK GRANT off Rathamvrchus.
PATRIK GRANT off Balnadalloche, witnes.
JOHNE DOW M^cGREGOUR, with my hand at the pen led be Mr. William Gregour, notar publict at my command.

162. DISCHARGE by KING JAMES THE SIXTH to JOHN GRANT of Freuchie, for the sum of five thousand merks. May 1593.

REX.

THESAURAR and thesaurar depute, we grete zow weill: Forsamekle as in contentatioun and satisfactioun of Johnne Murray of Tullybardin, sone and air of vmquhile William Murray of Tullybardin, oure comptrollar for the tyme, of the sowme of ane thowsand merkis money of our realme restand awand to him, as being found superexpendit in his last comptis, we haue remittit and dischargit, and be the tennour heirof remittis and dischargeis our louitt Johnne Grant of Frewchye, the pane and vnlaw of fyve thowsand merkis money incurrit be him for his part as ane of the cautioners of George Erll of Huntlye, etc., for his keping of gude rule and quietnes in the cuntrie, and dewtyfull obedience to ws efter the brig of Die, as the act thairanent at lenth beris: It is thairfore oure will, and we command zow that ze be zour selffis, zour deputis and officeris quhatsumeuir in zour name, desist and ceis fra all asking, craving, or vptaking of the said pane and vnlaw of fyve thowsand merkis, or ony part thairof, fra the said Johnne for his part of the said cautionarie, and fra all executing of ony letteris or chargeis of horning or poinding aganis him for the same in tyme cuming, as ze will ansuer to ws vpoun zour obedience; dischargeing zow vtherwyse thairof and of zour offices in that part; quhairanent thir presentis, or the autentik coppie thairof vnder the subscriptioun of ane famous notar, salbe zoure warrand. Subscriuit with oure hand at the day of Maii, the zeir of God j^m v^c lxxx threttene zeris.

S^r Robert Meluill. JAMES R.
Blantyre.

. . .

163. Order by John Grant of Freuchie to Alexander Hay in Allanbowie, to pay certain sums of money, with a discharge for £100 subjoined. 25th May 1594.

Alexander Hay, forsamekill as I directit Duncane Farquhar to zow, to desyre zou to prowyd me fywe hundreth markis agane Sounday cumis aucht dayis, off the quhilk soume ze sall nocht faill to deliuer instantlie to this berar, James Law, ane hundreth pundis in part of payment of my taxationis, and resawe his acquittance thairvpoun; and siclik, ze sall nocht faill to deliuer to Thome Leg, messinger, efter threttie schillingis for ewerie pund land of Ardnylie, quhilk I suppone is aucht lib. landis, extending to sax lib. for the first termes payment thairof, and resaue his acquittance thairon; as alsua ze sall nocht faill to imploy quhatsumeuer moyan ze can to get alsmekill siluer to mak out the formar soum of fyve hundretht markis to me the day appointit, and leif na thing ondone in the premissis: Keip all the gold ze can get to me of this sowme. Subscriuit with my hand, at Ballachastell, the xxv of May 1594.

Jhone Grant.

Sy zowr moyane to maik me fyeff hondreth markis by then.

I, James Law, messinger, be the tennour heirof, grantis me to haue resauit fra the handis of Alexander Hay in Allanbowie the soum of ane hundreth lib. money, and that in name and behalf of ane richt honorabill man, Johne Grant of Freuquhie, in part of payment and to compt and rakning of the said Johnnes taxationis of the first and second termes payment of the landis of Vrquhart, Glenmorestoun, Glenchernich and Bellandalloch, haldin be him of our souerane lord; the xiiij lib. landis of Mulbennis, the fift part landis of Barmuckattie, the thrie lib. landis of Cardellis, with the haill few landis haldin of the lordschip of Spynie, conform to the particular rollis thairof; exoneris and discharges the said Johnne Grant of Freuquhie, his airis and assignais, thairof, in part of pament and to compt and rakning, as said is, be this my acquittance subscriuit with my hand, at Allanbowye, the penult day of Maii 1594, befoir thir witnes, James Ogilbie of Allanbowye, James Guthrie burges of Elgin, and Mathow Innes. James Law, messinger, with my hand.

164. Bond by certain of the Clan Grant to John Grant of Freuchie, to keep the peace. 17th March 1594.

At the Kirk of Cromdall, the xvij day of Marche, the zeir of God 1594 zeiris. The quhilk day comperit and convenit Patrik Grant of Rathymvrchus, Patrik Grant of Ballnadalloch, Johne Grant of Glenmoristoun, Johne Grant of Carron, Johne Steward of Kincardin, James Grant of Estir Elchis, Lauchlan Grant of Vestir Elchis, Patrik Grant of Dalwey, Johne Steward of Kilmachloyn, and of thair frie motiwe, villis and confession, hes bound and oblist thame, and be the tenour heirof bindis and oblissis thame and thair forsaidis

to ane honorabill man, Johne Grant of Frewquhy, that thai and ilk ane of thame, thair seruandis, tenentis, famelis, duelland, remanand or frequhentand and hantand diuers tymes thair landis, heretagis, rowmes and possessionis, ilk ane for his part respectiue, sall obserue and keip the Kingis Maiesties peace, quietues and guid reull in the cuntrie, ilk ane onder the paynes following, videlicet, Patrik Grant of Balnadallauch onder the pane of sex thousand markis; Patrik Grant of Rathymvrchus, sex thousand markis; Johne Grant of Glenmoristoun, four thousand markis; Johne Grant of Carron, tua thousand markis; James Grant of Estir Elchis, ane thousand powyndis; Lauchlan Grant of Vestir Elchis, ane thousand powndis; Johne Steward of Kincardin, thre thousand markis; Patrik Grant of Dalwey, ane thousand markis; Johne Steward of Kilmachlon, ane thousand markis; to be payt to the said Johne Grant of Frewquhye, in cais thai satisfie nocht the actis and statutis of his Hienes parliament and generall band: And forther, the saidis personis, and ilk ane of thame, as said is, and all sic as thai ar oblist to ansuer for, as is abonwrettin, salbe ansurable to iustice, and sall satisfie and redres all attemptis committit be thame and thair forsaidis in tyme bygane, and that salhappin to be committit be thame in tyme cuming, conform to the saidis lawis of the realm: And gif it hapnis the saidis personis, or ony of thame, thair tenentis, seruandis and wtheris abonwrettin, to be persewit for ony occasion bygane, that the maister of the man persewit caus mak satisfaction according to iustice, at the leist mak compt of samekle geir as he hapnis to haif and possess for the tyme, and deliuer the person giltie to the said Johne Grant of Frewquhye, and the maister to be na forder astrictit; and gif he [beis] fugitive, that he do his exact diligence to apprehend and deliuer him to iustice: And the said Johne Grant oblissis him faythfullie to concur and assist his said kin and frendis in persuit of the person fugitiue quhair ewir he pas, quhilk gif he dois nocht, the maister to be na forder oblist: And the premissis the saidis personis hes condescendit and grantit to do, becaus the said Johne Grant of Frewquhye is actit in the buikis of consall as caution for thame for guid ordour keiping, as the actis maid thairon beiris.

165. Bond by Sir Thomas Gordon of Cluny, knight, for Angus McAlester Mackinnes and his brother. 3d June 1596.

Be it kend till all men be thir presentis, me, Sir Thomas Gordoune of Cluny, knicht, to be bound and obleyst, and be the tennour heirof bindis and obleissis me, my airis, executouris and assignayis and intromettouris with my guidis and geir, as cationer and souertie for Angous McAlester Makinnes and Thomas Mackalester Mackinnes, bretherine, and all wtheris quhome thai may stope or latt, thait thai nor nane of thame sall nather inqueyit, trubill or molest the Lardis Grantis boundis, tenentis, seruandis, frendis, dependaris, rowmis and possessionis (except be ordour of law), other in bodies, guidis or geir; and in caice the saidis personis or ony of thame be found to do in the contrar, in thait cace I the said Sir Thomas bindis and

obleissis me and my foirsaidis, and promesses faithfullie to delyuer the saidis offendaris to the said lard of Grant or his foirsaidis, giff in onnywayis the said Jhone Grant or his foirsaidis, or ony in his name, sall iustifie and prouff the saidis Thomas and Angus, or ony ane of thame stoip or leit, to haif doune vrang (beffor ony iuge competent) to the said Jhone Grant, in his boundis, landis, to his frendis or seruandis in thair bodies, guidis or geir; and in caice it being found beffor ony iuge competent thait the saidis personis haif doune wrang to the said Jhone Grant of Frewquhye, as said is, thait I the said Sir Thomas Gordoune and my foirsaidis failzie in delyuering the saidis offendaris, being requirit thairto be the said Jhone Grant and his forsaidis lauchfulle vpoune the premonition of tuantie dayis, than and in thait caice, I the said Sir Thomas Gordoune bindis and obleissis me, my airis, executouris and assignayis and intromettouris with my guidis and geir, to content, pay and delyuer to the said Jhone Grant and his forsaidis the sowme of fywe hundrethe markis vsuall mone of this realme as liquidatt and dett restand awand be me to the said Jhone Grant: Prouyding always thait [gif] the said Sir Thomas delyuer the saidis offendaris ane or baithe (thar offence being iustifiett, as said is, doune to the said Jhone Grant and his forsaidis wpone the premonition foirsaid), thane and in thait caice the said Sir Thomas Gordoune and his foirsaidis salbe fre of the said sowme of fywe hundreyth markis: And for the mair securitie of the premissis, baithe the saidis parties ar content and consentis thait thir presentis be insert and registrat in the commissaris boukis of Mvray, the said Sir Thomas renuncing his awine iuresdictione thairto, and thair to haif the strenthe of ane confessit act, his auctorite being interponit thairto, with executoriallis of poynding and horning to follow thairvpoune at the optioun of the pertie conteinand [compleinand] wpoune the charge of simpill sex dayis allenarly, the ane but preiudice of the wthair: And to the effect foirsaid makis and constitutis our lauchfull procuratouris, coniunctle and seueralle, haiffing our powar thairto; and thairto consent to the registring of the same: And to hald ferme and stabill etc.; generallie [etc.] In witness of the quhilk baith the saidis parties hes subscryuit thir presentis, at Aberdene, the threid day of Junii, in the zeir of God j^{m}v^{c} fourscoir and saxtene zeirs; befor thir witnes, Jhone Gordon apirant of Tullaquhodye, George Strachine, Patrik Gordone and Hew Gordone, serwitouris to the said Sir Thomas.

Jhone Gordon, witnes. THOMAS GORDONE of Cluny.
Patrik Gordoune, witnes.
George Strathauchine, vitnes.
Hew Gordoune, witness.

166. CHARGE to apprehend DONALD M^{c}ANGUS M^{c}ALLASTER of Glengarrie. 8th July 1596.

JAMES be the grace of God King of Scottis, to our louittis, messingeris, our scherreffis in that pairte, coniunctlie and seueralie, specialie constitute, greting: Forsamekill as

it is humelie meanit and schawne to ws be our trustie and weilbelowit counsallouris, Walter pryour of Blantyre, our thesaurar, Mr Thomas Hamiltoun of Drumcairnie, and Mr William Hairt of Levielandis, our advocattis for our interes, that quhair, vpoun the xxiiij day of December last bipast, Donald McAngus McAllaster of Glengarrie wes ordourlie denunceit rebell, and put to our horne be vertew of our vtheris letteris, for his not compeirance personalie befor ws and our prevey counsall, at ane certane day bigane, to haue ansuerit to sic thingis as sould hawe bene inquyrit of him, tuicheing ordour to be tane with the disordourit personis of the clanis and vthiris in the Hielandis; and to haue gevin vp compt quha ar bund be the generall band, lawis of our realme, and actis of our parliament, to be ansuerabill for thame, as our saidis vtheris letteris dewlie execute, indorsat and registrat, schawne to the lordis of our secreit counsall beiris; at the proces quhairof he maist proudlie and contemptuandlie remanis as zit vnrelaxt, takand na regaird of the said horning, bot passis vp and doun our cuntrey, hantand kirkis, mercattis, and all vthir publict placeis of our realme and societie of men, and enioyis the possessioun of his awne rentis and leving, as giff he wes our frie subiect, in hie and proud contemptioun of our auctoritie and lawis, and encowragement of vthiris to continew in the lyk rebellioun and dissobediens heireftir, without remeid be provydit:—Oure will is heirfoir, and we chairge zow straitlie, and commandis that incontinent thir our letteris sene, ze pas, and, in our name and auctoritie, command and chairge our schereffis of Aberdene, Banff, Elgin, Forres, Narne, Inuernes, and Cromartie, and thair deputtis, the provestis and bailleis of our burrowis and townis within the same scherefdomes, and all vthiris schereffis, stewartis, prouestis, and bailleis of our burrowis, iugeis, officiaris, and ministeris of our lawis within quhais boundis and iurisdictioun the said Angus McAllester, our rebell forsaid, hantis, frequentis, and repairis, to pass serche, seik, and tak him quhaireuer he may be apprehendit, and to put, hald, and detene him in suir firmance and captivity, ay and quhill he haue satisfeit and fulfillit the command of our saidis vthiris letteris, and obtene himself relaxt fra the said proces of our horne, within sax dayes nixt eftir thai be chairgeit be zow thairto, the said Angus being alwayes schawne to thame, vnder the pane of rebellioun and putting of thame to our horne: And giff thay failzie thairin, the saidis sax dayes being bipast, that ze incontinent thaireftir denunce thame our rebellis and put thame to our horne; and escheat and imbring all thair mowabill guidis to our vse for thair contemptioun, as ze will ansuer to ws thairwpoun. The quhilk to do we commit to zow, coniunctlie and seueralie, our full power be thir our letteris, delyuering thame be zow dewlie execute and indorsat agane to the berar. Gevin vnder our signet, at Edinburgh, the aucht day of Julii, and of our regnn the xxix zeir, 1596.

Ex deliberatione dominorum secreti consilii.

J. Andro.

167. Bond of Manrent between John Grant of Freuchie and Donald M^cAngus of Glengarrie. 28th April 1597.

At Mullychard, the xxviij day of Apryll, the zeir of God j^mv^c four scoir sewintein zeiris, it is concordit, agreit, and faithfullie promeisit, betuix honorabill men, Johne Grant of Frequhy on the ane part, and Donald MakAngus off Glengarrie on the wther part, in maner [and] forme following: That is to say, the saidis partyes ar content, and be thir presentis consentis that thair be ane contract and finall apoyntment maid, and in ample forme extendit betuix thame, be the sicht and awyce off men off law, on the heidis and artickles vnderwrettin, betuix the day and dait heirof and the tuelf day of Maii nixt to cum, at quhilk day the sadis pairtyes promeissis to conwein at Perthe to that effect; viz., for guid ordour and freindschipe, mutwall luif and kyndnes to be kepit betuix the saidis Johne Grant off Frequhy and Donald MakAngus off Glengarrie, thair airis, assignais and successouris, the said Donald is content to gif his band of seruice to the said Johne Grant and his successouris, the maist ample and suir way that can be dewysit be men off vnderstanding, that may stand and be kepit be the lawis of the realme, on the conditiounis and vnder the panis following, viz., the said Donald for him selff, his airis, assignais, and successouris, lairdis of Glengarrie, with his kyn, frendis, parttakeris and assisteris, to serwe the said Johne Grant, his airis and successouris, lairdis of Frequhy, perpetuallie in all tym cuming, in all his actionis and caussis quhatsumewer, in the law and by the law, aganis quhatsumeuer person or personis, the autoritie of our souerane lord and his successouris and the said Donaldis cheif being only exceptit: And gif it sall happin the said Donaldis cheif to inwad, perschew, or opres the laird of Grant or his successouris, in that caice the said Donald and his forsaidis to be obleist to tak plaine, afald and treu part with the lairdis of Grant, contrair his said cheif; and alsua the said Donald and his forsaidis sall acumpany the laird of Grant, and meit him at sick conwenient place as salbe apoyntit to him, vpon the premonissioun of dayes, to be maid to him be [the] said laird off Grant, nochtwithstanding the said exceptioun of the said Donaldis chief, as said is: And gif it sall happin ony person or personis to opres, herrie, raif, sorne, or do ony vther iniury to the inhabitantis of the said Johne Grantis landis of Vrquhart and Glenmoristoun, or ony vther the said Johne Grantis landis, cuntrayes, or heretage, in ony tymes cuming, the said Donald bindis and obleissis him and his forsaidis to fortiffie, mantein and concur with the inhabitantis of the saidis landis, and defend thame with his vttermaist pouer, and tak afauld part with tham in resisting, reuenging, and repairing of all sick skaith, iniury, and harmes to be done to thame be quhatsumeuer persone, as said is; and sall do his exact dilligence to the heam bringing and restitutioun of sick guidis, geir, and bestiall that sall hap[pin] to be teane away out of the saidis boundis, in ony time cuming, and that be the said Donaldis awin force, gif he may do the same, and to mak the awneris to be restorit to thair awin, in sick maner as gif the sam war takin away fra the said Donaldis kin and freindis: And gif the said Donald

and his forsaidis be nocht able be thair awin forces to reuenge the saidis wrangis, and to caus the same be repairit, as said is, in that caice, the said Donald, for himselff and his forsaidis, promeisis to be radie with his kin and freindis to pas and in cumpany with him ane landit gentillman, as the laird of Grant pleassis to derect, with the said Donald, to reueng and caus mak reparatioun of the saidis wrangis, as is afoir rehersit: And in caice the said laird of Glengarrie and his forsaidis be nocht in the cuntray at the said tyme, in that caice the said Donald promeisis faythfullie to cauis and mak the principall of his kin in the cuntray for the tyme to be radie and pas with his forces, with the said landit man of the laird of Grantis kin, to the effect abowe wrettin: And at quhat tyme or quhow schone the laird of Grant hapnis to be chargit be the autoritie to ony publict hosting or weiris, the said Donald and his forsaidis sall accumpany the said laird of Grant and his forsaidis in the said hosting, fra the begining to the ending thairof, the said Donaldis cheif nocht being present: And gif it sall hapin ony person or personis within the boundis [and] heretagis, pertening the said Donald or his forsaidis, to steall, raif, or tak away ony bestiall, guidis or ger, in ony tyme cuming, furth of the said Johne Grantis bundis of Straspey, or wther landis pertining to him, in that caice the said Donald bindis and obleisis him and his forsaidis to stay and stop the same to the wttermaist of his pouer, and to repair, restoir, and delyuer the same agane to the awneris thairof, within ten dayes efter he and his forsaidis being aduerteisit thairof, or ellis to pay the same of his awin proper geir, and to puneis the committeris according to the lawis of the realme: And in caice the said Donald and his forsaidis failzie in the premissis, or ony part therof, in nocht observing and fulfilling of all and sinderie the premissis, the said Donald for himself and his forsaidis ar content and consentis that the said Johne Grant and his forsaidis sall haif full, fre, and plane regres, acces, and place, to persew the said Donald and his forsaidis, be vertew of the contract maid betuix the said Johne Grantis vmquhill guidschir on the ane pairt, and the said Donaldis vmquhill father on the vther pairt, of the deat, at Elgin, the day of the zeir of God j^{m}v^{c} thre scoir zeiris, for all actiounis and reductiounis or qualificatiounis of failzie, gif ony beis competent to the said Johne and his forsaidis be vertew thairof, and thir presentis to be nathing hurtfull nor preiudiciall to the said contract, nor na part thairof: And also the said Donald bindis and obleissis him and his forsaidis, that in cais he failzie in the premissis or ony part thairof to thankfullie content, pay, and delyuer to the said Johne Grant and his forsaidis the sowme of thre thowsand merkis money off this realme, *toties quoties*, as for los, skaith, and dampnage sustenit be the said Johne Grant thairthrow, the said failze being first cognoscit and tryit befoir the freindis wnderwrettin, chosin for ather pairtie to that effect; that is to say, Sir Johne Murray of Tullibairne, knycht, William Sutherland of Duffis, Patrick Grant of Rathemorchus, Sir Thomas Stewart of Gairntullie, knycht, Patrick Dunbar of Blarie, and Nicholes Dunbar of Boggis, or ony four of thame chosin be bayth the saidis pairteis to that effect: And gif the said failzie or fault beis mendit

and repairit be the sicht of the saidis personis or ony four of thame, in that cais the said Donald to be fre of the fornamet penaltie, and na vther wayes; and for payment of the said penneltie, gif ony hapnis to be, the said Donald hes fund honorabill men, Johne McKenzie of Garloche, Johne Chisholme of Comer, Huichon Fraser, apeirand of Foyer, coniunctlie cautioneris and souertie for the said Donald for payment of the same: For the quhilk caus, and vther ressonable caussis moving the said Johne Grant to the effect vnderwrettin, the said Johne Grant bindis and obleissis him and his forsaidis to defend and mantene the said Donald and his forsaidis in all his honest and iust actionis and caussis to the wttermaist of his pouer, according to the lawis of the realme; and sall warrand, releif, and keip skaithles the said Donald of all skaith and inconuenientes that the said Donald and his forsaidis sall hapin to incur be the lawis of the realme throw the said Johne Grantis seruice to be done as said is; and this band of manteinance to be extendit in maist ample forme that can be devysit to the effect forsaid: Also the saidis pairties, for thameselffis and thair forsaidis, hes refferit, and be thir presentis refferis all vther actionis and caussis betuix thame preceideing the deat heirof, and speciallie the heretable rycht of the landis of Kiserne and Strome etc., clamit be ather of thame, to be discussit and decernit be the personis vnderwrettin chossin for ather pairtie to that effect, viz., for the pairt of the said Johne Grant, Maisteris Thomas Craig, William Oliphant, James Donaldson, or ony ane of thame, with the laird of Tullibarne, the guidman of Typermuir and the guidman of Auchtertyr, or ony tua of thame, chossin for the pairt of the said Johne Grant, and Maisteris Alexander King, Henrie Balfour and Johne Nicholsoune or ony ane of thame, with Sir Thomas Stewart of Gairntullie, knycht, Johne Stewart of Tullipury and James Drummond, schirref clark of Perthe, or ony tua of thame, for the pairt of the said Donald: Quhilkis pairties and arbitouris abonewrettin sall convein at Perthe, tuelf day of Maii nixtocum, and sall accept the said matter and de[ci]sioun thairof in and vpon tham, and sall deserne thairintill betuix that and the xv day of Maii forsaid; and as the saidis personis, or the maist pairt of tham, decernis thairintill, bayth the saidis pairties bindis and obleissis thame and thair forsaidis to obserwe, keip and fulfill the same in all tym cuming, and sick heidis and poyntis as the saidis freindis decernis nocht, the said day and place, bayth the saidis pairties ar content to refer the discussioun thairof amicable to the lordis of sessioun at sick day as pleassis the saidis freindis to assigne to the saidis pairties to compeir befoir the saidis lordis to that effect: And gif ather the said Johne Grant or Donald failzeis in keiping of the said day to be assignit to thame, as said is, for productioun of ather of thair richtis befoir the said lordis, to the effect foirsaid, in that cais, the pairtie absent or refusand to haif na forther place to claime ony richt or titill to the saidis landis, in haill or in pairt, at ony tym thairefter: And in cais it be found and decernit that the said Johne Grant haif best rycht and titill to the saidis landis of Kiserne and Strome etc., in that cais, the said Donald bindis and obleissis him and his forsaidis to pay to the said Johne Grant and his forsaidis the sowme of thre merkis money for ewerie merk land thairof of zeirlie maill at tua termes in

the zeir vsit and vount, allanerlie; for payment of the quhilk sowme zeirlie and termlie, as said is, James Dunbar of Tarbart, Nicholas Dunbar of Boggis, or Georg Dunbar of Auchleisk, sall becum caution and souertie actitt in the commisar buikis of Moray as effeiris: And bayth the saidis pairties ar content and consentis, for thame selffis and thair forsaidis, that this present wreit be eikit, mendit, and reformit in maist sure and ample forme that can be devysit be men of iudgment, keipand the substantiall heidis abonewrettin, als oft as neid beis, ay and quhill it be found sufficient to the effect befoir mentionat. In witnes of the quhilk, bayth the saidis pairties hes subscrywit thir presentis with thair handis, day, zeir, and place forsaid, befoir thir witnessis, James M^cIntosche of Gask, M^r James Grant of Ardnelzie, Johne Grant of Kinweachie, Donald M^cInnis Moir of Siane, Alexander Betoun of Ochtertyr, and William Reid, writter heirof.

M^r James Grant of Ardnely, witnes.
Alexander Betoun, witnes.
William Reid, writter heirof, witnes.

JOHNE GRANT of Frewquhy.
DONALD MAKANGUS of Glengarrie.

168. TACK by DAME MARIE RUTHVEN, Countess of Athole, with consent of JOHN EARL OF ATHOLE, her spouse, to JOHN GRANT of Freuchie, of the lands of Clawalge, etc. 3d September 1597.

BE IT KEND till all men be thir present letteris, ws, Dame Marie Ruthuen, countes of Atholl, lyfrenter and coniunctfear of the landis and lordschip of Balveny, with expres consent and assent of ane nobill and potent lord, Johne erle of Atholl, lord Inuermey and Balvany, now my spous, for his entres, to haue sett, and in tak and assedatioune lattin, and be thir presentis settis, and in tak and assedatioune lattis to our weilbelouit freind, Johne Grant of Frewquhy, his airis, assignayis and subtennentis of na hier degre nor himself, all and haill the thrie quarteris of the towne and landis of Clawalge, presently possest be the said Johne, with pairtis, pendiclis, scheillingis and pertinentis thairof, lyand within the baronie of Clawalge and schirefdome of Narne, during all the space, dayis, zeiris and termis of my, the said Dame Mareyis, lyftyme; togidder with the towne and landis of Kynnermonie, with fischeingis, scheillingis, pairtis, pendiclis and pertinentis thairof, lyand within the lordschip of Balvany and schirrefdome of Banf, for all the space, zeiris and termis of fyve zeiris, beginnand the first terme at the feist of Witsonday nixtocum, in the zeir of God j^m v^c fourscoir auchtein zeiris, and fra thynefurthe to endure during the said space, but ony intervall or brek of termis: Payand thairfoir zeirly the said Johne Grant and his foirsaidis to ws, our factouris, doaris and chalmerlaneis in our nameis, all maillis, customeis and dewteis quhatsumeuer, vsit and wont; togidder with seruice, vsit and wont, allenerly: And we forsuthe, the said Dame Marie and my said spous for his enteres, faithfullie bindis and obleissis ws, coniunctly and seuerallie, our airis, executouris and assignayis, to warrand, acquiet and defend this present

tak and assedatioune to the said Johne and his foirsaidis, in all and be all thingis abonewrittin, frome our awin deid allenerly; and that we haue done nor sall do nothing preiudiciall thairto: In witnes of the quhilk we haue subscryveit thir presentis, quhilkis ar wrettin be Walter Dog, notar, with our hand, at Dunkeld, the thrid day of September j^{m}v^{c} fourscoir sevintein zeiris, befoir thir witnessis, Schir James Stewart of Auchmadeis, Mr. James Grant of Arnely, Patrik Muray sone to the lord Tullibardin, and Walter Dog, writer herof.

James Stewart, vitnes.
Patrik Murray, vitnes.
Mr. James Grantt, vitnes, present.
Walter Dog, notar, witnes.

JHONE ERLL OF ATHOLL.
MARIE COUNTES OF ATHOLL.

169. BOND OF FRIENDSHIP by JOHN EARL OF ATHOLE to JOHN GRANT of Freuchie. 3d September 1597.

BE IT KEND till all men be thir present letteris, ws, Johne erle of Atholl, lord Balveny and Inuermey, etc., that forsamekill as our guid freind, Johne Grant of Frewquhy, hes, remembring the dewtie, amitie and freindschip that in tymeis past hes bene observit and kepit be his predecessouris and himself to our predecessouris, erlis of Atholl, and now finding the lyk occasioun in ws, hes nocht onlie ratefeit and approwin all bandis of freindschip maid of befoir be him or his predecessouris, bot also renewit the samin in sufficient forme to ws the day and date of thir presentis: Tharfoir, to be bund and obleist, lyk as we, be the tenour heirof, faithfullie bind and obleis ws be our selfis, our kyne, freindis, seruandis, assisteris, dependeris, partakeris and haill force and power, to fortifie, concure and assist the said Johne Grant of Frewquhy, his airis and successoris quhatsumeuer, thair kyn, freindis, seruandis, assisteris, dependeris and partakeris, trewly and anefoldly, in quhatsumeuer mater, cause or purpois intendit, or to be intendit, be the said Johne, or concerning him in ony wayis, aganeis quhatsumeuer persone or personis within this realme (the Kingis Maiestie and Hienes personall presence allennerly exceptit); and salbe with the said Johne bothe be our self and our foirsaidis, and tak playne and anefold pairt with him in quhatsumeuer querrell, controuersie or debait that sal happin to fall out betuix him and ony vther persone or personis quhatsumeuer within this realme, at quhat tyme soeuer the said Johne Grant sall move or wndertak the samin himself, vpon quhatsumeuer occasionis, and sall prosequut the samin with him and his foirsaidis to the end; and sall neuer be freind, be word, deid, counsall nor assistance, to na persone nor personis to quhome it salhappin the said Johne to declair feid or haitrent, bot sall fortife, concur and assist with the said Johne in all and be all thingis abonewrittin, aganeis all deidly, exceptand as is befoir exceptit: And heirto we faithfullie bind and obleis ws be the faithe and trewthe of our body, wnder the pane of periurie, defamatioune and tinsall of perpetuall credit, fame and honour, be this our band of

freindschip, wrettin be Walter Dog and subscryveit with our hand, at Dunkeld, the thrid day of September, the zeir of God j^{m}v^{c} fourscoir sevintein zeiris; befoir thir witnessis, Sir James Stewart of Auchmadeis, Mr. James Grant of Arnely, Patrik Muray sone to the lard of Tullibardin, Neill Grant in Dalbryak.

James Stewart, vitnes. JHONE ERLL OF ATHOLL.
Patrik Murray, vitnes.
Mr. James Grantt, witnes, present.
Neill Grant, witnes.
Walter Dog, notar, witnes.

170. ACQUITTANCE to JOHN GRANT of Freuchie for the double of the feu-duty of Glencharny and Balnadalloch. 12th September 1599.

I, ALEXANDER DUNBAR of Cumnok, be the tennour heirof grantis me to haif ressauit fra the handis of Thomas Grant in Letauche, in name and behalfe of the richt honorabill Jhone Grant of Frewquhye, the sowme of sewin scoir tua pundis money, in satisfactioun, payment and contentatioun of the lettres obligatouris made to me be the said Jhone Grant of Frewquhye, be quhilk the said Jhone wes oblesit to pay to me the sowme of thrie hundreth pundis money, with this provisioun, that gif he payit the said sowme of sewin scoir tua pundis at the terme contenit in the said obligatioun, in that caice the said obligatioun to be null; and that for the dowbill of the few dewty of the landis of Glencharnye and Balnadallach the tyme of the entrie of the said Jhone Grant of Frewquhye, and addettit be me in the chekker comptis, conforme to the responde directit thairanent; of the quhilk sowme of sewin scoir tua pundis money, in contentatioun and satisfactioun and for the caussis forsaidis, I hald me weill contentit, satisfeit and payit, renunceand, and be thir presentis renuncis, the exceptioun of non numerat money, exoneris, quytclames and discharges the said Thomas Grant, in name of the said Jhone Grant of Frewquhy, thair airis, executouris and assignais, for me, my airis, executouris, assignais and all vtheris quhom [it] efferris, of the samyn for now and ewir: And I forsuith, the said Alexander Dunbar of Cumnok, bindis and oblissis me and my forsaidis to varrand, freith, releif and keip skaithless the said Jhone Grant of Frewquhye and his forsaidis of the said sowme, for the caussis abone specefeit, at the handis of [his] Maiestie and his Maiesteis auditouris of chekker and all vtheris quhom [it] efferis, be this my acquittance, subscriuit with my hand (writtin be George Sutherland notar publict), at Elgin, the tuelf day of September, the zeir of God ane thowsand fyve hundreth fourscoir nyntein zeiris; befoir thir witnessis, Patrik Grant of Balnadallach, William Hay of Mayne, Mark Mawer of Stynie, Dauid Torrie burges of Elgin, and the said George Sutherland, notar publict, writtar heirof.

G. Sutherland, notar publict, witnes and writtar of the premissis. ALEX^{R}. DUNBAR of Cumnok.
M. Mawer of Styny, vitnes, present. Patrik Grant off Balnadallache, vitnes.
William Hay of Mayne, vitnes.

171. Submission by Simon Lord Fraser of Lovat and John Grant of Freuchie, of all controversies between them, etc. 13th September 1599.

At Inuernes, the threttene day of September, the zeir of God ane thousand fiwe hundreth four scoir nyntene zeiris, it is convenit and aggreit betuix ane noble lord, Symond Lord Fraser of Lowat etc. for him self, his kin, frendis, tenentis and seruandis on the ane part, and ane honorabill man, Johne Grant of Fruquhye, for him self, his kin, frendis, tenentis and seruandis on the vther part: Quhilkis parteis hes submittit, and be thir presentis submittis all actionis, querellis, questionis and debaitis, that aither of [thame], thair kin, frendis, tenentis and seruandis haid, hes or ma haif, ask or clame at wther throw ony intromission, reif, oppression or taking of guidis or geir be ony of thame fra wther, precedand the day and dait of this present wrett, to the decision, jugment, decreit arbitrall and amicable composition of honorabill men onderwrettin; thai ar to say, for the part of the said noble lord, Thomas Fraser of Strechin, Johne Chessom of Commer, Hucheon Fraser of Guischechan, Hucheon Fraser of Ballatrum, Angus Makintosche of Termet and Alexander Fraser of Farlan; and for the part of the said Johne Grant of Fruquhy and his forsaidis, Patrik Grant of Rathymvrchus, Johne Grant of Glenmoristoun, Maister James Grant of Ardnelie, James Makintosche of Gask, Johne Grant of Kinveachie, and Thomas Grant in Ledauch: Quhilkis personis altogidder sall, God villing, convene in Inuernes the xviii day of Nouember nixt to cum, and accept the decision of the said mater in and vpon thame, and sall decerne thairintill at sic convenient day and tyme as salbe thocht expedient be bayth the saidis parteis at the said tyme of thair convention: And as the saidis juges and amicable compositouris decernis and decreitis in the saidis causis, the saidis parteis ar bound and oblist, and be the tenour heirof bindis and oblissis thame, and promittis faythfullie to caus thair kin, frendis, tenentis and seruandis on ather syd, obey, keip and fulfill the same, ilk ane for his awin part, as sal happin to be decernit the said tyme: And for obeying, keiping, fulfilling and payment making of the sowmes of mone, guidis or geir, as the said noble lordis frendis and tenentis beis decernit to pay, Thomas Fraser of Moneak and Johne M^{c}Culloch in Altir ar becum cautionaris souerteis and full dettouris, and ilk maner for payment of sic sowmes of mone, guidis or geir as the said Johne Grant, his tenentis and seruandis beis ordinat to pay, Johne Grant in Gartinbeg and William M^{c}Allan of Auchnarrour ar becum cautionaris, souerteis and full dettouris, at sic convenient termes and days thaireftir as the saidis juges sall think expedient but fraud or gyll: And the saidis Symond Lord Fraser of Louat and Johne Grant of Fruquhye for thame selfis, thair airis, successouris and assignais, bindis and oblissis tham to warrand, relief and keip skaythleis the saidis cautionaris of the premissis, and of all costis skayth and damnage that thai or ony of thame respectiue hapnis to incur thairthrow, and of all that ma follow thairupon. In fayth and vitnes of the quhilkis, bayth the saidis parteis

hes subscryvit thir presentis with thair [handis], day, zeir and place forsaidis; befor thir vitnes, Alexander Fraser in Farnell, Huchen Fraser of Erchett, James Grant in Aviemoir. James Grant of Auchernett, and Mr William Gregour wrettar heirof.

Symon Lorde Fraser of Louat.

172. Contract between John Grant of Freuchie and Donald McAngus of Glengarrie. 19th April 1600.

At Elgyne, the nyntene day of Aprill, the zeir of God ane thowsand and sex hundreth zeiris, it is appoyntit, contracttit, faythfullie oblest and finallie endit and agreit betuix the rycht [honorabill] Johne Grant of Frequhye, on that ane pairt, and Donald McAngus of Glengarrie, on that vther pairt, obleissing thame, thair airis, assignayis and successouris to thair landis and heretageis, to observe, keip and fulfill the haill headis, poyntis, claussis, articleis and conditiounis of this present contract, ather to vtheris, in maner following: That is to say, forsamekill as the said Johne Grant of Freuquhye, be ane vther contract and infeftment following thairwpoun, hes sauld, disponit, annaleit, and set in few ferme to the said Donald, his airis maill and assignayis, all and haill the castell, fortalice and maneir place of Strome, and the thrattene merk landis of Kysryne, with the vniuersall pertinentis thairof vseit and wont, lyand within the erldome of Ros and schirefdom of Inuernes; as alsua all and haill the towneis, landis, scheallingis and vtheris eftir mentionat, to witt, Achenadariche and Lunde, estimat of auld extent to tua merk land; Fairnamoir, estimat to tua merk land; Culuoyr and Achemoir, estimat to tua merk land of auld extent; Foirneagiveg, Findanamure, and Acheache, to tua merk land; Achechoynleth and Brayemtroye to tua merk land; Culchnok, Achenacloyche, Blargarwe and Acheas, to tua merk land; Atomernis and Vochterorye, to tua merk land, lyand within the lordschipe of Lochailche; as lykueyis in Strome in Carranach, extending to tuentie schilling land; Slomba, estimat to tuentie schilling land; the quarter of Down, to ten schilling land; Achinche, with the thrie quarteris, estimat to thrattie schilling land of auld extent, lyand within the lordschipe of Locharroun and schirefdome forsaid;—as the saidis contract and infeftment, of the dait of thir presentis, at mair lenth proportis: Thairfoir, and for the band of mantenance vndirwreattin, the said Donald be thir presentis, for him, his airis and successouris to his landis and heretageis, and assignayis, faythfullie promittis be the fayth and treuth in his bodie, and be the tenour heirof bindis and obleissis him, his airis, assignayis and successouris, that he and they sall, in all tyme cuming, be thame selfis, thair menteneutis, servandis, pairtakeris and dependarris (quha accompaneis thame in oisting and hunting), serve, honour, assist, defend, plane and efauld pairt tak with the said Johne, his airis, successouris and placehaldaris of the hous of Grant, in all and quhatsumeuir his and thair honest and lesum adoeis, actiounis and querrellis, contrair all mortall (the auctoritie onlie exceptit): Lyk as

the said Johne Grant obleissis him, his airis, successouris and placehaldaris, to assist, fortifie, mantein and defend the said Donald M^cAngus of Glengarrie and his forsaidis in all and quhatsumeuir his and thairis lauchfull adoeis vpoun quhatsumeuir occasioun that sall happin to occur for the tyme, in . . . as becumis ane superiour to do to his wassall and . . . contrair quhatsumeuir personeis (the auctoritie and the Marq . . . onlie exceptit), and as the said Donald or his . . . happin to hawe to do in persuit or defence of . . . actiounis that salbe persewit be thame or . . . thame for the tyme be or contrair quhatsumeuir . . . exceptit), the said Johne and his forsaidis sal . . . efauld and trew counsaill and aduyse to the . . . forsaidis for his or thair forderance in . . . of the saidis caussis, and sall employ . . . moyane with his freindis and fauora[ris] . . . [Do]nald and his forsaidis for the . . . said Donald and his forsaidis adoeis . . . vald do in his awin the said Donald . . . expensis and chargeis thairwpoun . . . the saidis pairteis faythfullie bindis and . . . of thame to wtheris, and to observe, keip . . . haill premissis ather to wtheris, in maner . . . panis of defamatioun, periurie, wiolatioun . . . fayth and honour for euir. In witnes of the . . . pairteis hes subscryuit this present contract . . . be Johne Donaldsone, notar publict, servitour to Will . . . Schirefmylne . . . with thair proper handis, day, mo[neth, zeir] and place forsaidis, befoir thir witnessis, Mr. James . . . [of Ar]dneidlie, Johne M^cIntosche, sone to Lauchlan M^cIntosche [of] Dunnauchten, William Gibsone of Schirefmylne, Thomas Grant in . . . Mark Mawer of Stynie, commissar of Murray, and the said [Johne] Donaldsone, wreattar heirof.

Mr. James Grant of Ardnely, witnes.
Johne M^cKintosche, witnes.
J. Donaldsone, notar publict, wreatter of the premissis, witnes, present.
Williame Gibsone, witnes, present.

JHONE GRANT of Freuquhy.
DONALD MAKANGUS of Glengarrie.
M. Mawer of Styny, vitnes, present.
Thomas Grant, vitnes.

173. DISCHARGE by JOHN LORD FORBES to JOHN GRANT of Freuchie, his uncle, for all spuilzies and wrongs committed on his tenants, etc. 11th June 1601.

BE IT KEND till all men be thir present letteris, ws, Johnne Lord Forbes to be bound and obleist to our speciall guid freind and eme, Johnne Grant of Frewquhy, in maner subsequent; that is to say, forsamekle as at sindrie and diuers tymes bygane, bayth in the said Johnne Grantis guidschir tyme as lykwyis in his awin, sindrie of his servandis and inhabitantis of his land hes committit and done to ws, the said Johnne Lord Forbes, as lykwyis to vtheris our tennentis and servandis, diuers grite wrangis and oppressionis tending griteimlie to our hurt and hender; zit neuirtheles, for sindrie ressonable caussis and considerationis moving ws, and speciallie for the continewance of the auld freindschipe, guid will and amitie standing betuix our houssis, to haif exonerit, quietclamit, dischairgit, and be thir presentis for our

self, our aires and assignayis, and taiking the burding vpoun ws for our saidis tennentis and servandis, thair aires and assignayis, exoneres, quietclames and dischairges the said Johnne Grant, his saidis freindis and servandis, thair airis and assignayis for euir, of all spuilzies, wrangis and vther manifest oppressiounes committit or done be thame or ony of thame at ony tyme bygane preceding the day and dait of thir presentis; and of all actioun of law competent to ws thairthrow, als weill nocht intentit and persewit as intentit and persewit: And siclike bindis and obleissis ws and our foirsaidis to substitute and surrogate, lykeas we be thir presentis substitutis and surrogattis the said Johnne Grant of Frewquhy and his foirsaidis (be our speciall letteris of assignatioun in ample forme,) in our full rycht and place of all actiounis, alsweill nocht intentit as intentit, as said is; with our full power to him to call, follow and persew the committeris of the saidis crymes, ather at our instances or his awin, as he sall think expedient: And gif neid beis, we the said noble lord faythfullie bindis and obleissis ws and our foirsaidis to iterate, reforme and renew this our dischairge to the said Johne Grant als oft as neid beis, and ay and quhill he and his foirsaidis find thame selffis sufficientlie dischairgit anent the premissis; and in lyk maner to deliuer to him the assignatioun abone writtin quheneuir the samin beis requirit: Prouiding alwyis that the premissis be nocht preiudiciall to the actioun persewit at the instance of my sone, the maister, aganis Patrik Grant of Camdell for entering of Patrik Grant in Mulben in my court. In witnes quhairof I haif subscriuit thir presentis with my hand at Druminnour the ellevent day of Junii, the zeir of God ane thowsand sex hundreth ane zeiris; befoir thir witnessis, Alexander Forbes of Auchintoull, Arthour Forbes our sone, Gregour Grant and Arthour Vrquhart our servitour.

JHONE LORD FORBES.

A. Forbes off Auchintoull, witnis.

Gregour Grant, witnes and writter of the premissis.

Arthour Forbes with my hand and for Arthour Wrquhart becaus he culd nocht writt himself, wittnis.

174. COMMISSION by KING JAMES THE SIXTH to JOHN GRANT of Freuchie and others, to try persons suspected of witchcraft, etc. 28th June 1602.

JAMES be the grace of God King of Scottis, to all and sindry oure leigis and subdittis quhome it effeiris, quhais knawlege thir oure letteris salcum, greting: Forsamekle as it is vnderstandin to ws and lordis of oure secreit counsall that thair is ane grit nowmer of personis within the boundis of the landis, baronyis and possessiounis, pertening to Johnne Grant of Freuchie, quha ar suspect and dilait of wichcraft, sorcerie, inchantmentis and vtheris odious crymes, condemnable be the lawis of oure realme, quhairin thai haue tane the gritter bauldnes to continew this lang tyme bygane be ressoun of thair oversicht and impunitie, and that nane has bene authorized with power and commissioun of justiciarie to punische thame: Quhairfore, to haue maid, constitute and ordanit, and be the tennour heirof

makis, constitutis and ordanis Johne Grant of Freuchy, Patrik Grant of Rathemurkus, Patrik Grant of Baldarroch, M^r James Grant of Ardnelie, M^r Patrik Grant, minister, oure justices in that pairt conjunctly and seueraly; gevand, grantand and committand to thame oure full power and commissioun to convocat oure leigis in armes, and to pass, searche, seik, tak and apprehend all and quhatsumeuir personis suspect and dilait of the crymes abonwrittin within the boundis abonmentionat, quhairevir thai may be apprehendit, and to commit thame to strait waird, firmance and captivitie, ay and quhill thai minister justice vpoun thame: And to that effect, justice courtis ane or ma at quhatsumeuir places convenient to set, begin, affix, affirme, hald and continew, als oft as neid beis; and in the same court or courtis the saidis personis to call and thame be dittay to accuis; and as thai be fund culpable or innocent, to caus justice be ministrat vpoun thame, conforme to the lawis of oure realme; deputtis ane or ma vnder thame, with clerk, seriand, dempster, and all vtheris officeris and memberis of court neidfull, to mak, creat, ordane and caus be suorne, for quhome thai salbe haldin to ansuer; assyiss of the personis best knawing the veritie to sufficient nowmer to summound, warne and cause compeir, ilk persoun vnder the pane of fourty pundis; vnlawis and amerchiamentis of the saidis courtis to ask, lift and raise, as neid beis, and for the same to poind and distreinzie: And, gif it sal happin the saidis personis or ony of thame to be convict of the saidis crymes, with powar to oure saidis justices, coniunctly and seueraly, and thair deputtis, to intromet with and vptak thair escheit guidis and geir, and for the ane equall [half] thairof to be ansuerable to ws and oure thesaurer, and compt thairof in oure chekker to mak, and vpoun the vther halff of the same to vse and dispone at thair pleasure for thair panis and laubouris: And generally, all and sindry vtheris thingis to do, vse, hant and exerce, quhilkis to the office of justiciary of law or consuetude of oure realme ar knawin to pertene: Firme and stable halding and for to hald all and quhatsumeuir thingis salbe lauchfully done heirin: Charging heirfoir zow, all and sindry oure saidis leigis and subdictis quhome it effeiris, to reddylie ansuer, intend and obey to oure saidis iustices, coniunctly and seueraly, and thair deputtis, in all thingis tending to the executioun of this oure commissioun; and to do nor attempt nathing to thair hinder and preiudice, vnder all hiest pane, cryme, charge and offence that ze and ilk ane of zow may commit and inrin aganis oure maiestie in that behalff. Subscryvit with oure hand and gevin vnder oure signet, at Perth, the xxviii day of Junii, and of oure regnne the xxxv zeir, 1602.

JAMES R.

MONTROISS can^rius.

J. secretarius.

175. MUTUAL BOND OF FRIENDSHIP between JOHN GRANT of Freuchie and ALEXANDER DUNBAR of Westfield. 18th September 1602.

THIS INDENTOUR, maid at Forres, the auchtene day of September, the zeir of God ane thousand sex hundreth and tua zeiris, testifeis and bearis witnes, that it is appoyntit.

contractit, concordit and finallie agreit betuix the rycht honorabill pairteis wnderwreattin, thay ar to say, Johne Grant of Freuquhye, for himself and takand the burding in and vpoun him for his haill kin, freindis, dependaris, partakeris, assistaris, mentenentis and servandis, quhom he mey stop or latt, on that ane pairt, and Alexander Dunbar of Westfeild, scheref of Morray, and the gentilmen of his name of Dunbar wndersubscryweand, for thameselfis, and takand the burding in and vpoun thame for thair haill kin, freindis, dependaris, partakeris, assistaris, mentenentis and servandis, quhom they mey stop or latt, on that wther pairt, in maner following: That is to say, forsamekill as thair hes bene diuers and sindrie auld bandis and leagueis of freindschipe maid and endit betuix the saidis pairteis, thair antecessouris and forbearis, for keiping and interteneying of freindschipe, amitie, guid neychbourheid and peace within thair boundis, countreyis and possessiounis; and the saidis pairteis, be speciall aduyse and mature deliberatioun, and consent of thair kin and maist speciall freindis, meaning and willing to keip and interteney mutuall freindschipe and amitie betuix thame, their kin and freindis, and to renew, reforme and reiterat the auncient bandis and leagueis maid and agreit vpoun befoir betuix thair predicessouris, for preservatioun of the inuiolabill peace betuix thameselfis, thair kin, freindis, tenentis, assistaris and dependaris; and for incresce and augmentatioun of welth and policie to thameselfis and thair forsaidis, be the fayth and treuth of thair bodieis, as euerie ane of thame will ansuer to God, and be thir presentis, faythfullie bindis and obleissis thame and thair airis succedand to thair houssis, landis and leweingis, mutuallie to wtheris, to plane trew and efauld pairt tak with wtheris, manteine, assist and defend ilkane wtheris, and ilk ane of thame to gif to wtheris thair best and honestest consaill and aduyse in ilkane of thair honest and lesum bissines and adoeis, actiounis, questiounis and querrellis quhatsumeuir,—exceptand his Maiestie, his Hienes successouris, the marques of Huntlie and his successouris, and the personeis wnderwreattin, they ar to say, for the said Johne Grant of Freuquhye and his airis, Sir Johne Morray of Tullibarne, knycht, and his airis, and for the said Alexander Dunbar of Westfeild and his airis, Alexander lord of Fywie, president of his Hienes Colledge of Justice, and his airis allanerlie;—wnder the paneis of periurie, infamie, violatioun and brek of fayth, honour and treuth, for euir: And in case it sall happin (as God forbid it do) ony offence or iniurie to be committit and done be ony of the saidis cheiffis to wtheris, in that case the samen to be adiudgeit and tryit be tua, for euer ilk ane of thame, of thair kin and surname maist wnsuspect and best liueand, at quhais arbitriment and decreit the saidis parteis obleissis thame and thair forsaidis to stand, abyd at, wnderlye and fulfill in all partis, but appellatioun or reclamatioun thairfra: And in case ony of thair freindis or thair forsaidis happin to offend or iniure wtheris, in that case the samen to be tryit and adiugeit be the saidis Johne and Alexander thair saidis cheiffis, at quhais decreit the parteis offendand sall stand and amend to the partie offendit according to thair discretioun and iudgement in ane voce but appellatioun thairfra, as said is; sua that no occasioun or caus of ony elist or questioun mey or

sall aryse or insult betuix the saidis parteis and thair forsaidis heirefter, bot that peace and amitie be keipit mutuallie, as said is: And the saidis parteis obleissis thame, and promittis to renew thir presentis as ony of thame salbe requerit be wtheris to the effect and keipand the substantialiteis forsaidis. In witnes quhairof the saidis parteis and wtheris wndersubscryvearis hes subscriuit thir presentis, wreattin be Johne Donaldsone, notar, servitour to the said Johne Grant of Freuquhye, with thair handis as followis, day, moneth, zeir and place forsaidis; befoir thir witnessis, William Sutherland of Duffous, James Sutherland of Kinstarie, M^r^ James Dundas, chantour of Morray, and the said Johne Donaldsone, wreattar heirof.

Prouyding, lykas it is speciallie agreit vpoun betuix the saidis parteis, that this present band and contract sall nawayis obleis nor astrict thair airis thairto, during thair awin will and plesouris, nochtwithstanding thair airis and successouris be mentionatt thairin.

JHONE GRANTT off Freuquhy.
ALEX^R^ DUNBAR of Weistfeild.

176. BOND OF MANRENT between JOHN GRANT of Freuchie and KENNETH MACKENZIE of Kintail. 1st May 1606.

AT INVERNES, the first day of Maii, the zere of God ane thowsand sex hundreth and sex zereis, it is appoyntit, contractit, faythfullie oblest, and finallie agreit, betuix the rycht honorabill pairteis wnderwreattin, they ar to say, Johne Grant of Freuquhye, for himself and takand the burdine in and wpone him for his kin, freindis, mentenentis, assistarris, pairtakeris, dependaris and all wtheris for quhom he is obleist to be ansuerabill be the lawis of the realme of Scotland, actis of parliament and generall band, on that ane part, and Kenneth Mackenzie of Kintail, for himself and takand the burding in and wpoun him for his kin, freindis, mentenentis, assistaris, pairtakeris, dependaris, and all wtheris for quhom he is obleist to be ansuerabill be the lawis of the said realme, actis of parliament and generall band, on that wther part, in maner following: That is to say, the saidis Johne and Kenneth, for thameselfis and takand the burdine in and wpoun thame, as said is, faythfullie and treulie promittis, be the fayth and treuth of their bodeis, and be thir presentis, sickerlie bindis and obleissis thame, thair airis and successouris, to assist, defend, aide, concur, plane and efauld part tak with wtheris, be thameselfis and thair forsaidis, ather of thame with wtheris, in all and quhatsumeuir thair and ather of thair honest and lesum adoeis, actioneis, questioneis, querrellis and caussis, contrair all wtheris persone or personeis that sall happin at ony tyme heireftir to persew, inuaide, trubill, molest or inquiett the saidis personeis, or ather of thame or thair forsaidis, thair boundis or cuntreyis (his Maiestie and the auctoritie onlie exceptit): And that nather of the saidis pairteis sall heir, witt, or sie wtheris hurtis, skaythis, dampnedge,

or loss, bot they and ather of thame sall aduerteis wtheris thairof: Lykas, for the better performance heirof in all poyntis, the saidis pairteis and ather of thame, for thameselfis and thair forsaidis, and takand the burdine in and wpoun thame, as said is, hes submittit and referrit, and be thir presentis submittis and referris all and quhatsumeuir actioneis and caussis, bayth ciuile and criminall, committit in ony tyme bygane preceding thir presentis, or to be committit in tyme cuming be ather of the saidis pairteis or thair forsaidis, to the decisioun and arbitriment of the personeis efternominat, chosin and electit be bayth the saidis pairteis with ane consent, or moniest of thame agreand in ane voce, to witt, Patrik Grant of Rothemurchus, Patrik Grant of Balnadalloche, M^r James Grant of Edinvillie, Johne Grant of Glenmoreistoun, Lauchlan Grant of Elcheis, and Thomas Grant of Hiltoun of Birneyth, Rorie M^cKeinzie of Coigache, Rorie M^cKeinzie of Ardinfaillie, Alexander M^cKeinzie of Coull, Kenneth Mackenzie of Kilchrest, M^r Johne M^cKeinzie, persone of Dingwell, and M^r Johne MacKeinzie, archedene of Ros;—at quhais arbitriment and decreit the saidis pairteis, for thameselfis and takand the burdine in and wpoun thame, as said is, sall stand, abyid at, wnderlye and fulfill the samen in all poyntis, but appelatioun or reclamatioun thairfra; sua that it sall nocht be lesum to ather of the saidis pairteis, or ony of thair forsaidis for quhom they tak burdine, as said is, to trubill, molest, or persew wtheris befoir ony wther iudge or iudgeis within this realme for quhatsumeuir caus, deid or occasion bygane, present, or to cum, at ony tyme hearefter, bot the samen actioneis to be tryit and adiugeit be the saidis freindis, quha sall pronunce thairanent amicabillie and freindlie: And the saidis pairteis obleissis thame and ather of thame heirto, in maner forsaid, and to reiterat, renew and reforme thir presentis sa oft and how oft as ather of thame salbe requerit to that effect, ay and quhill the samen be aneis maid sufficient, keipand the substantiall heidis heirof wnalterit: And for the mair securitie, they ar contentit and consent that thir presentis be insert and registrat in the buikis of counsaill and sessioun, thair to haue the strenth of ane decreit of the lordis thairof, thair auctoritie to be interponit thairto, with letteris and executoriallis to pass heirvpoun, in forme as effeiris: And for acting and registring heirof, they mak and constitute coniunctlie and seuerallie, thair lauchfull procuratouris, in vberiori constitutionis forma; promittentes de rato, etc. In witnes quhairof, the saidis pairteis hes subscriuit thir presentis, writtin be Johne Donaldsone, seruitor to the said Johne Grant of Frewquhye, with thair handis, day, moneyth, zere, and place forsaidis; befoir thir witnessis, Sir James Stewart of Muren, knycht; Johne M^cGillichoan, William Lauder, and the said Johne Donaldsone, notaris publict.

S. James Stewart of Murane, witnes.
W^m Lauder, witnes.
Johane Makgillichoan, notar, witnes, present.

JOHNE GRANT of Freuquhy.
MACKENZIE.

177. Mutual Bond of Assistance and Defence between Allan Cameron of Lochiel and Renalt M^cAllan of Lundie and his son. 23d July 1606.

At Bellemakain in Vrquhart, the tuentie thrie day of Julii, the zere of God ane thowsand sex hundreth and sex zereis, it is appoyntit, contractit, faythfullie obleist and finallie agreit betuix the rycht honorabill Allane Cameroun of Lochzeill on that ane pairt, and Renalt M^cAllan of Lundie and Allan M^cRenalt VicAllan, his sone and apparent air, on that wther pairt, in maner, forme and effect as eftir followis; that is to say, the saidis Renalt M^cAllan and Allan M^cRannalt, his sone, be the tenour heirof faythfullie bindis and obleissis thame, and sickerlie and trewlie promittis that they, and ilk ane of thame, sall, with thair haill barneis, kin, freindis, assistaris, pairtakeris, dependaris, and all quhom they and ather of thame mey stop or latt, serve, honour, assist, defend, plane and efauld part tak with the said Allan Cameroun of Lochzeill in all tymeis cuming, in all and quhatsumeuir his honest and lauchfull actioneis, adoeis, questioneis, quarrellis, debateis and contraverseis, be the aduise and consent of the rycht honorabill Johne Grant of Frewquhye, and as he sall command or bid thame be word or writ, contrair quhatsumeuir persone or personeis (the auctoritie and the laird of Glengarrie and his airis and successouris only exceptit): And be thir presentis the saidis Renalt M^cAllan and Allan M^cRenalt, his sone, faythfullie promittis be the fayth and treuth of thair bodieis, that they, nor ather of thame be thame selfis, sall nather heir, sie nor conceall the said Allan Camerone of Lochzeill his hurt or skaith, nor be airt [and] pairt with, or in consell thairof, bot that thei sall mak him acquent and forsene thairwith, and sall stop, hinder and impeid the samen, to the wttermost of thair power: And in cace it sall happin ony actioun of pairtie, deidlie feid, trubill or weiris, to fall, aryis or be betuix the said Allan Cameroun of Lochzeill and the laird of Glengarrie or his airis and successouris, in that cace the saidis Renalt and Allan his sone faythfullie promittis and bindis and obleisis thame, that they, nor ather of thame nor thair forsaidis, sall nawayis, directlie or indirectlie, assist, pairt tak with, forder or supplie the said laird of Glengarrie and his forsaidis in ony tyme cuming, bot be the aduise and consent of the said Johne Grant of Frewquhye, and as he sall command or bid thame: For the quhilkis premissis, the said Allan Cameroun of Lochzeill faythfullie promittis and bindis and obleisis him to mantein, defend, aide, supplie, fortifie and assist, be him self, his kin and freindis, the saidis Renalt M^cAllan and Allan M^cRenalt, thair barneis and seruandis, in all thair honest and lesum actioneis, questioneis, quarrellis, debateis and contraversieis, to his wter power, aganis all persone or personeis (the marques of Huntlie and his successouris onlie exceptit); and that in sic forme and maner as the said Allan manteinis and defendis his awin kin and freindis of Clancameroun; prowiding the said Renalt and Allan vse the said Allane Camerouns counsell in thair actioneis forsaidis, and do thairin be his aduise, and that they attempt nor do nathing but the samen: And heirto bayth the saidis pairteis faythfullie bindis and obleissis thame and ather of thame to

wtheris, in maner abone specifeit: Lykas, for the mair securitie, they ar contentit and consent that thir presentis be insert and registrat in the buikis of Counsaill and Sessioun, thair to haif the strenth of ane confessit act and decreit of the Lordis thairof, thair auctoritie to be interponit thairto, with letteris and all execution neidfull to pas heirvpoun on ane singill charge of fyvetene dayis allanerlie: And to that effect they mak and constitute coniunctlie and seuerallie, thair laufull procuratouris: In vberiori constitutionis forma: Promittentes de rato etc. In witnes quhairof, the saidis pairteis hes subscriuit thir presentis, writtin be Johne Donaldsone, notar publict, seruitour to the said Johne, with thair handis as followis, day, moneyth, zere and place forsaidis; before thir witnessis, the said Johne Grant of Frewquhye, Johne Grant of Glenmoreistoun, Duncane M^cMartine of Leterindeloy, Johne Grant of Garthinbeg, Johne M^cAllan, burges of Invernes, M^r William Gregour, and the said Johne Donaldsone, writtar heirof, notar publict.

Jo^n. Makallane, burges of Inuernes, witnes. ALLAN CAMRON of Lochze[ill].
Jhone Grant in Garthinbeg, vitnes.

178. DISCHARGE by DONALD MAKANGUS of Glengarrie to JOHN GRANT of Freuchie.
14th September 1606.

I, DONALD MAKANGUS of Glengarrie, be the tenour heirof grant me to haif ressauit reallie and with effect in novmerat money, at the making of thir presentis, fra the rycht honorabill Johne Grant of Freuquhye, all and haill the sowme of tuelff scoir tua merkis guid and wsuall Scottis mone, in pairt of payment of ane greater sowme restand be the said Johne to me, be deliuerance of the samen to George Cuming, burges of Invernes, quhairof I wes addebtit to him: Of the quhilk sowme of tuelf scoir tua merkis mone forsaid, in pairt of payment as said is, I hald me weill contentit, satisfeit, and payit (renunceand the exceptioun of non-novmerat money), exoneris, quytclameis, and dischargeis the said Johne, his airis, executouris and assignayis, for me, my airis, executouris, assignayis, and all wtheris quhom [it] effeiris, of the samen for euir. In witnes quhairof, I haue subscriuit thir presentis, writtin be Johne Donaldsone, notar publict, seruitour to the said Johne, with my hand, at Culnakyill, the fourtene day of September, the zere of God j^mvi^c and sex zereis; befoir thir witnessis, Duncane Grant of Rothemurchus, Johne Grant, Johne Calder, and the said Johne Donaldsone, seruitouris to the said Johne, and Johne Reid, my seruitour.

DONALD MAKANGUS of Glengarrie.

179. BOND OF MANRENT by JOHN LESLIE of Kinnonowie to JOHN GRANT of Freuchie.
6th May 1607.

I, JOHNE LESLIE of Kinnonowie, for my self, my airis and successouris, and takand the burdine in and wpoun me for my haill kin, freindis, servandis, assistaris, perttakeris and

dependaris, be the tenour heirof faythfullie promitt, be the fayth and treuth in our bodieis, and be thir presentis bindis and oblessis ws and our forsaidis, that in all tymeis heirefter we sall, be our selfis and our forsaidis, serve, honour, assist, plane and efauld pairt tak with the rycht honourabill Johne Grant of Frequhye, his kin, freindis, mentenentis, servandis, dependaris and assistaris, in all and quhatsumeuir his and thair honourabill and laufull affairis, actioneis and lesum adoeis, bayth ciuill and criminall; and sall to our wtter power concur with him and thame thairin, as I and my airis and successouris and our forsaidis beis requerit thairto, or aduertest of the samen, contrair all mortall (the auctoritie onlie exceptit): The quhilkis premissis, I the said Johne Leslie, for me and my forsaidis, faythfullie promeis to observe, keip and fulfill as is abone writtin, wpoun my honour and lawtie. In witnes quhairof I haue subscriuit thir presentis, wreattin be Johne Donaldsone, seruitour to the said Johne Grant of Freuquhye, with my hand, at Kinermoney, the sext day of Maii the zere of God j^m^ sex hundreth and sewin zereis, befoir thir witnessis, M^r^ James Grant of Edinvillie, Duncane Grant of Thombreachie, the said Johne Donaldsone and Allan Grant, seruitouris to the said Johne.

M^r^ James Grant of Edinville, witnes. J. Lesley of Kynninuie.

A. Grant, witnes.

J. Donaldsone, notar publict, wreatter of the premissis, witnes, present.

180. Submission for a Decreet Arbitral between Patrick Grant of Tullochgorm and Lauchlan Grant of Wester Elchies, and others. 11th October 1608.

This blenk within subscryveit is referrit and ordanit be thir presentis to be fillit with ane decreit arbitrall be honorabill men, Patrik Grant of Rothemurchus and Patrik Grant of Balnadalloch, as iudgeis arbitratouris and amicabill compositouris, nominat, electit and chosin be Patrik Grant of Tullochgorme, takand the burdine in and wpoun him for Johne Grant in Auchloney, Duncane Grant his brother, and Robert Grant in Delnabo thair brother, on that ane part, Lauchlan Grant of Vester Elcheis and William Drumbrek of Wrtane, as iudgeis, arbitratouris and amicabill compositouris, nominat, electit and chosin be Patrik Grant of Carne takand the burdine in and vpoun him for Johne Reoch Makgowin in Auchleythnye, Alexander, Ferquhar and Johne M^c^Jonreochis, soneis to the said Johne Reoch, on that wther part; and in cace of variance or discrepance amongis the saidis iudgeis arbitratouris, sua that they can nocht agrie in ane voce, be the rycht honorabill Johne Grant of Frewquhye as odman and oursman, equallie, neutrallie and indifferentlie nominat, electit and chosin be bayth the saidis pairteis,—to cognosce, decide and decerne anent the debetabill caussis eftermentionat, viz., anent the alledgeit wrang and iniurie, alledgeit committit and done be the saidis Johne, Duncane and Robert Grantis, brether, and the said Johne Reoch Makgowin and his soneis, ather of thame to wtheris, and pley quhilk happnit betuix the saidis Johne Grant his brether, and the said Johne Reoch and his soneis, and thair part takeris at the Kirk of

Kirkmichell in Strathowin wpone the day of Januar, the zere of God j^m^vj^c and zereis; and anent the trying of the samen, and quhat satisfactioun the pairtie offendar and committer of the said iniurie, and the burdine taker for thame, sall mak and do to the pairtie offendit and greiffit; and also anent ane finall peace, amitie and freindschipe to be concludit betuix thame in tyme cuming, and maner of the samen; and anent all and quhatsumeuir wtheris cloigis, questiounis, and debeattis standing wndecideit and wnreconceillit betuix the saidis pairteis, and thaeis for quhom they tak burdine, for quhatsumeuir caus, deid or occasioun bygane, preceding the date heirof, conforme to the clameis of ather pairtie to be gewin thairanent quhilkis salbe haldin als sufficient as gif the samin wer speciallie ingrossit heirintill: Quhilkis iudgeis, arbitratouris and oursman forsaid presentlie acceptis the cognitioun and decisioun of the saidis debetabill materis in and wpoun thame be subscriueing this present designatioun: Lykas the said iudgeis arbitratouris and amicabill compositouris forsaidis sall pronunce thair finall sentence and decreit thairanent betuix the date heirof and the fourtene day of this instant moneyth of October; and in cace of wariance amongis thame, sua that they can nocht agrie in ane voce, as said is, the oursman abone specefeit sall pronunce his finale sentence and decreit arbitrall anent the premissis befoir the last day of October instant inclusiue: And housoeuir the saidis iudgeis arbitratouris and amicabill compositouris forsaidis all in ane voce, or in cace of variance amongis thame the oursman and odman abonewrittin, findis, pronunceis, and decernis anent the debetabill materis abone expremit, the saidis Patrik Grant of Tullochgorme and Patrik Grant of Carne takand the burdine in and vpone thame, as said is, faythfullie bindis and obleissis thame, thair airis, executouris and assignayis, that the saidis personeis for quhom they tak burdine, thair airis, executouris and assignayis, sall obtemper, obey, abyid at, wnderlye and fulfill the samen in all poyntis but appellatioun or reclamatioun thairfra, wnder the pane of fywe hundreth pundis vsuall Scottis money to be payit to the pairtie observear and fulfillar, or willing to fulfill, the said decreit arbitrall be the pairtie decernit to fulfill and nocht fulfilland and observeand the samen, or refuseand to fulfill the samen; and heirto bayth the saidis parteis compromittaris faythfullie be the tenour heirof bindis and obleissis thame and thair forsaidis ather to wtheris, in maner abone specefeit: Lykas, for the mair securitie, they ordane and ar content and consent that thir presentis, with the decreit arbitrall to be fillit on the bak heirof, be insert and registrat in the buikis of counsaill and sessioun, or commissaris buikis of Morray, thair to haif the strenth of ane confessit act and decreit of the lordis of counsaill or commissar forsaid, thair auctoritie to be interponit thairto, with letteris and executoriallis of horning, poynding or warding, the ane but preiudice of the wther, to pas heirwpoun on ane singill charge of fyvetene dayis allanerlie: And for acting and registrating heirof, they mak and constitute coniunctlie and seuerallie thair laufull procuratouris: In vberiori constitutionis forma: Promittentes de rato etc. In witnes quhairof the saidis pairteis, compromittaris, iudgeis and oursman, hes

subscriuit thir presentis, wreattin be Johne Donaldsone, notar publict, seruitour to the said Johne; lykas the saidis pairteis hes subscriueit also the blenk on the bak heirof with thair handis, at the kirk of Cromdaill, the alewint day of October, the zere of God j^{m}vj^{c} and aucht zereis; befoir thir witnessis, Patrik Grant of Camdell, Robert Grant of Over Conegais, Johne Stewart of Kinmachlon, Thomas Grant of Letauch and the said Johne Donaldsone, writtar heirof.

LAUCHLANE GRANT of Elcheis accepttis.
WAM DUMBREK of Wrtan accepis.
Thomas Grant, vitnes.
Johne Stewart off Kinmachloun, vitnes.
PATRIK GRANT off Rathamurchus accepis.
PATRIK GRANT off Balnadallache accepis.
PATRIK GRANT of Tullochgorme.
PATRIK GRANT of Carne.
JHONE GRANT off Freuquhy acceptis.
Patrik Grantt, witnes.
Robert Grant, witnes.

181. DECREET ARBITRAL by JOHN GRANT of Freuchie, in a Submission between PATRICK GRANT of Tullochgorm and PATRICK GRANT of Carne. 28th October 1608.

I, JOHNE GRANT of Frewquhye, odman and oursman, equallie, neutrallie and indifferentlie nominat, electit and chosin be Patrik Grant of Tullochgorme, takand the burdine in and wpoun him for Johne Grant in Auchloney, Duncane Grant his brother, and Robert Grant in Delnabo, thair brother, on that ane pairt, and Patrik Grant of Carne, takand the burdine in and wpoun him for Johne Reoch Makgowin in Auchleythnie, Alexander Ferquhar and Johne M^{c}Jonreochis, soneis to the said Johne Reoch, on that wther part, to decide and decerne in case of wariance and discrepance amongis the iudgeis arbitratouris and amicabill compositouris within nominat, chosin for ather pairtie forsaid, anent the debetabill materis within specifeit, particularlie and generallie mentionat in the designation within wreattin as the samen beiris, haveing hard, sene and considerit the clameis and alledgeanceis of ather of the saidis pairtieis in presence of the saidis iudgeis arbitratouris, and being thairwith and with the meriteis, circumstanceis and procedingis of the debetabill materis within expressit, ryiplie and weill aduyseit, in respect the freindis and iudgeis arbitratouris forsaidis culd nocht agrie in ane voce, bot altogidder referrit the decisioun and cognitioun of the materis within rehearsit to my finall sentence and decreit arbitrall, haweing God and guid conscience befoir my eieis, I find, pronunce, and be the tenour heirof decerne the saidis Johne Reoch Makgowin and his saidis soneis to haue done wrang to the saidis Johne Grant in Auchloney, Duncane Grant and Robert Grant his brether, wpoun the said day of Januar, the zere of God j^{m}vj^{c} and zereis, at the kirk of Kirkmichell in Strathowin, be the hurting and bluid drawing of the said Johne Grant: And thairfoir, and for satisfactioun of the samen, I decerne and ordane the said Johne Reoch and his soneis, and the said Patrik Grant of Carne, burdine

taker for thame, thair airis, executouris and intromettouris with thair guidis and geir, to content, pay, and deliuer to the said Johne Grant in Auchloney, his airis, executouris or assignayis, wpoun the tent day of December nixtocum, all and haill the sowme of fourscoir pundis guid and wsuall Scottis money, within the paroche kirk of Cromdall; and failleing of thankfull payment of the samen be the said Johne Reoch and his soneis, or be the said Patrik Grant of Carne, burdine taker for thame, as said is, or ony of thame and thair forsaidis tymouslie, as said is, I decerne and ordane thame and thair forsaidis to content and pay to the said Johne Grant and his forsaidis the sowme of fourtie merkis mone forsaid, as penaltie liquidat and agreit wpoun in cace of faillie abone specefeit, and that by, attour and with the said principall sowme of four scoir pundis: For the quhilkis premissis, I decerne and ordane the saidis Patrik Grant of Tullochgorme, takand burdine in and wpoun him for the said Johne Grant in Auchloney, Duncane Grant and Robert Grant his brether, and the saidis Johne Duncane and Robert Grantis brether, for quhom burdine is takin, to dimitt, renunce, quytclame and discharge to the said Johne Reoch Makgowin and his barneis forsaidis, thair freindis, assistaris and parttakeris in the said bluid drawing of the said Johne Grant at the said kirk of Kirkmichell in Strathowin, wpoun the said day of Januar, the zere of God abone specifeit, all hatred, rancour, malice and euill will conceavit, and quhilk they and thair freindis hes and beiris toward the said Johne Reoch, his soneis and thair forsaidis, for the fact forsaid: And that the saidis Johne, Duncane and Robert Grantis, nor na wtheris in thair nameis or be thair fact and deid of thair causing, sending, hounding out, command, ressait, assistance and ratihabitioun, quhom they mey stop or lat, sall neuer at ony tyme herefter quarrell, persew, molest, inuade, trubill or accuse the said Johne Reoch and his soneis and thair forsaidis, nor nane of thame, for the said fact, ciuillie or criminallie, be law or by law, directlie or indirectlie, bot sall decist and ceas thairfra; and sall gif and mak particular dischargeis thairvpoun in sic ampill suir and large forme as the said Johne Reoch and his barneis sall devyse, be the sicht and aduyse of men of iudgement: And finallie, I decerne and ordane the saidis pairteis, and ather of thame, to keip, hald, interteney and continew amitie, freindschipe and sicker peace and kyndnes, in all tymeis cuming inuiolabillie and but brek, as becumis honest men, freindis and guid neychbouris, and to discharge with thair hartis all ilistis and occasioneis of trubill or hatred bygane: And this my decreit to all and sindrie quhom [it] effeiris I mak knawin and notefeit, decerning and ordaning the saidis pairteis, and ather of thame, to obtemper, obey and fulfill the samen ather to wtheris in all poyntis: Lykas, for the mair securitie, I am content and I consent and ordane that thir presentis, with the submissioun within wreattin, be insert and registrat in the commissaris buikis of Morray, or buikis of Counsaill and Sessioun, thair to haue the strenth of ane confessit act and decreit of the lordis of counsaill or commissar forsaid, thair auctoritie to be interponit thairto, with letteris and executoriallis of horning, poynding, or warding, the ane but preiudice of the wther, to pas heirvpoun on ane singill charge of

fyvetene dayis allanerlie; and for acting and registring heirof, I mak and constitute coniunctlie and seuerallie, my laufull procuratouris, in vberiori constitutionis forma; promittentes de rato, etc., and generallie, etc. In witnes quhairof, I haue subscriuit thir presentis, wreattin be my scruitour Johne Donaldsone, subscriuit of befoir be the saidis pairteis compromittaris, with my hand, at Ballachastell, the tuentie aucht day of October, the zere of God $j^{m}vj^{c}$ and aucht zereis; befoir thir witnessis, Patrik Grant of Camdell, M^{r} William Moffet, the said Johne Donaldsone, Robert Inglis, Allan Grant, and George Steuinsone, my scruitouris.

Patrik Grant, witnes.
J. Donaldsone, notar publict, witnes present, and wreatter of the premissis.
M. W. Moffett, witnes.

Jhone Grant of Freuquhy.
Patrik Grant of Tullochgorme.
Patrik Grant of Carne.
Robert Inglis, witnes.

182. Bond of Manrent by Patrick Grant of Carne to John Grant of Freuchie, his chief. 8th September 1611.

I, Patrik Grant of Carne, for the luif and speciall fauor I haue and beir to the rycht honorabill Johne Grant of Freuquhye, my cheif, and for the manifold plesouris and guid deidis done to me be him, and for his singular kyndnes and guid will schawin to me in all my adoeis, and in speciall for ane tak of the teynd schaweis and teynd vicarage of my landis of Mekill Inuerchebett and Culquhoiche with thair pertinentis, maid and grantit be him to me for all the dayis of my lyiftyme, as the samen of the date of thir presentis beiris; thairfoir I, be the tenour heirof, be the fayth and treuth of my bodie, faythfullie promitt and bind and obleis me that in all tyme heirefter during all the dayis of my lyiftyme I sall, be my self, my tenentis, servandis, dependaris and assistaris, serve, honour, reuerence, assist, playne and efauld pairt tak with the said Johne, his airis and successouris, lairdis of Grant, thair tutouris and place halderis, in all and quhatsumeuir his and thair honorabill and laufull affairis and lesum adoeis, bayth ciuill and criminall; and sall to my wtter power during all the dayis of my lyiftyme, as said is, concur and fortifie him and thame thairin, as I salbe requerit thairto or aduerteist of the samen, contrar all mortall (the auctoritie onlie exceptit;) and sall nather heir nor sie his hurt and skayth bot [I] sall lett and impeid it to my power, and sall acquent him thairwith with als great diligence and als tymouslie as I mey; I sall gif to him and thame my fathfull counsaill and best aduise in all sic affairis as beis to me communicat and manifestit concerning his weill and honor; and finallie, I salbe leall and trew kinisman to him, and sall do my honest and faythfull deutie to him and thame in all respectis, but regaird: The quhilkis premissis I faythfullie promitt wpoun my honour and lawtie, and bind and obleis me to do, performe and fulfill to the said Johne and his forsaidis in all poyntis, wnder the pane of infamie and violatioun of fayth and honour: With this speciall provisioun, that becaus the tak abone mentionat is maid, gewin and grantit to me be the

said Johne for thir presentis, in cace it sall happin me to faillie in my faythfull service to the said Johne, as said is, or to brek deutie to him and his forsaidis in any poynt, the faillie and brek of deutie being tryit and cognosceit be Mr James Grant of Edinvillie and Johne Grant of Glenmoreistoun coniunctlie, they bayth being on lyif, or be ather of thame lewand, the wther being depairtit this present lyif, as iudgeis and arbitratouris in this poynt, quhom be thir presentis we the saidis Johne and Patrik specially elect and admitt to that effect, and gewis to thame, or ony ane of thame, power to cognosce, trye and decerne anent the said faillie or brek of deutie; and gif it sall happin me to be decernit be thame coniunctlie, being bayth on lyif, or be ather of thame surviveand, to haue failleit and brokin deutie to the said Johne and his forsaidis, in that cace the forsaid assedatioun and letter of tak of the saidis teynd schaweis and teynd vicarage of the saidis landis of Mekill Inuerchebet and Culchoiche with the pertinentis to be thairefter and in all tyme cuming null and of nane availl, force nor effect, bot alluterlie cassit, sopit and annullit, as the samen had neuir bene: And it sall be lesum to the said Johne and his forsaidis thairefter to intromett with and wptak the teynd schaweis and teynd vicarage of the forsaidis landis with thair pertinentis, and the samen to his and thair awin vse to applye, as the said tak had neuir bene maid nor grantit, but ony proces of law or declaratour to be maid or follou in the contrair; and in this cace, I for me, my airis, executouris and assignayis, nou as then and then as nou, renunce and discharge the said tak, with all rycht competent to me of the saidis teynd schaveis and teynd vicarage, and no wtherweyis; and heirto we faythfullie bind and obleis ws and our forsaidis: And for the mair securitie ar contentit and consent that thir presentis be insert and registrat in the buikis of Counsaill and Sessioun or commissaris buikis of Morray, thair to remain ad futuram rei memoriam, with all executioun neidfull to pas heirvpon in forme as effeiris; and to that effect we mak and constitute coniunctlie and seuerallie, our laufull procuratouris, in wberiori constitutionis forma; promittentes de rato etc. In witnes quhairof, we haif subscriuit thir presentis, wreattin be Johne Donaldsone, seruitour to the said Johne, with our handis at Frenquhye, the aucht day of September, the zere of God ane thowsand sex hundreth and alleuin zereis; befoir thir witnessis, the saidis Mr James Grant of Edinvillie, Johne Grant of Glenmoreistoun, Johne Donaldsone and George Abercrumbie, my seruitouris.

J. Donaldsone, notar publict, wreatter of the premissis, witnes, present.

Patrik Grant of Carne.
Mr James Grant of Edinville, witnes, present.
Jhone Grant of Glenmoristtoun, witnes.
George Abercrombye, witnes.

183. Contract between Patrick Grant of Balnadalloch and Patrick Grant of Carron, for mutual friendship between their families. 8th January 1613.

At Elgyne, the aucht day of Januar, the zeir of God ane thowsand sax hundrithe and threttein zeiris, it is appoyntit, contractit, fayithfullie obleisit and mutuallie endit and agriet

betuix the richt honorabill perties wndirwrettin, wiz., Patrik Grant of Balnadallache on the ane pairt, and Patrik Grant of Carone on the vther pairt, in maner, forme, and effect following: That is to say, forsamekill as thair was ane contract and appoyntment maid, subscrywit and endit betuix wmquhill Patrik Grant of Balnadallache, takand the burding in and vpone him for certane personis, his freindis, thairin contenit, on the ane pairt, and wmquhill Johne Grant of Carone, and wmquhill Johne Grant, his sone, guidschir and father to the said Patrik Grant now of Carone, takand the burding in and vpone thame for certane personis, thair frendis, mentionat in the said contract; quhilk contract was maid and subscrywit and perfyttit, for intertineing of peace, amitie, loiff and frenschip to stand in all tymes cuming betuix the hous of Balnadallache, kin and freindis thairof, and the hous of Carone, kin and frendis of the samyn; in the quhilk contract thair is set downe certane penulties for keiping of peace, as the samyn of the dait at Balnadallache, the tuantie fourt day of Marche, in the zeir of God j^{m} fyve hundrithe four scoir and fyve zeiris, at mair lenth proportis: Quhilk contract, with all substances thairin contenit, with all that hes followit or may follow thairvpone, the forsaidis parties for thame, thair airis and successouris, dischargis, and ar contentit and consentis that the samyn be sopit, casit, and distroyit and annullit, and nawir to resawe faith quhaireuer the samyn sal be producit in ony tyme heirefter; and dischargis all and quhatsumewir vther bandis, contractis or securities quhatsumewir maid betuix wmquhil Patrik Grant of Balnadallache and the saidis wmquhillis Johnes Grantis of Carone, guidschir and father to the said Patrik Grant, now of Carone, for in[ter]teneing of peace and amitie betuix the saidis personis and thair houssis, and penulties thairin contenit, with all thair strenth, force and effect, of quhatsumewir dait or daitis the samyn be, preceiding the dait of the said contract maid betuix the saidis pairties, of the dait at the Boit of Phonas, the fourt day of Februar, the zeir of God j^{m}vj^{c} and aucht zeiris: And that in respect the said Patrik Grant, now of Ballnadallache, and Patrik Grant now of Carone, than as now and now as than, being of guid mynd and intentione to leiff cheretablie and amiabillie, freindlie and peaceablie, in tyme cuming, for interteneing of frendschip in respect of proximitie of bluid standand betuix thame; thairfoir to be bund and obleist, and be the tennour heirof, be the faith and trewth of thair bodies, bindis and obleissis thame and thair airis linialie descending of thame and joysing thair principall lewingis, ewerie ane of thame hinc inde to vtheris, to leiff freindlie and amiabillie togither in all tyme cuming, during thair awin lyftymes, and efter thair lyftymes to extend to thair speciall airis bruiking thair speciall dwellingis and rentis; and that nather they thameselfis nor thair forsaidis airis, nor thair men, tennentis nor serwandis dwelling on thair landis, quhom the lawis of this realme will mak thame ansuerabill for, sall nawir inwaid, trubill, molest, persew vtheris nor thair forsaidis airis, tennentis nor serwandis befoir exprimitt, na maner of way, wiolentlie nor inderectlie: And gif it sal hapin (quhilk God forbid that ewir it befall) that this mutuall band be brokin or wiolattit be ather of the saidis pairties or thair forsaidis airis, men,

tennentis, or serwandis befoir speciallie exprimitt, to vtheris, and the samyn being sufficientlie tryit to be brokin be the richt honorabill Johne Grant of Freuquhy as onlie iudge electit and chosin be baith the saidis pairties, to quhome they be the tennour heirof allanerlie submittis thameselfis in this caice, during the said Johne Grant of Freuquhy his lyftyme allanerlie, in that caice, the pairtie braker or wiolatter off this present band or contract being tryit and sufficientlie qualifiet to haif brokin the samyn, faithfullie bindis and oblissis thame and thair airis abone mentionat, to content, pay and delyuer to the pairtie offendit and injurit the sowme of twa thowsand pundis money of this realme of Scotland, tocies quocies, in pairt or haill, conform to the qualitie of the offence and brek, in sic forme as they sal be decernit be the said Johne Grant of Freuquhy, iudge chosin, as said is, to haue wiolattit the band abone wrettin, efter iust tryall and probatioune haid thairof as of iustice accordis: Prowyding alwayis, that this mutuall band be nawayis extenditt to thair men, tennentis or serwandis, being druickin or aillhous tulzies and suddanties, bot sic as ar done of set purpois and forthocht fellonie, and thais sudanties and aillhous tulzies to be riguruslie punischeit be baith of thair adwyses, as accordis of the law; and in doing thairof, this mutuall band navayis to be brokin, nochtwithstanding of the premis: And baith the saidis pairties admittis the said Johne Grant of Freuquhy as onlie iudge to the wrangis and mitigatione of the penulties set done in this present contract, and payment thairof: Prowyding alwayis that efter deceis of the said Johne Grant of Freuquhy, this present contract being nawayis preiudiciall to the contract and appoyntment maid and endit betuix the saidis pairties, of the dait at the Boit of Phonas, the fourt day of Februar, the zeir of God ane thowsand sax hundrith and aucht zeiris, and haill conditionis thairin mentionat: As lykwayis baith the saidis parties, be the tennour heirof, faithfullie promittis to vtheris and straitlie obleis thame and thair forsaidis, that nane of thame sall tak nor persew vtheris kyndlie possessionis, sic as can be iustlie cognost to be thair kindlie possessionis, but speciall adwyse, leif and licence gewin and grantit be wrett to wtheris: And for the mair perfyte surar appeirance and fuller grond of amitie, baith the saidis pairties dischargis vtheris hinc inde of all actionis, criminall or ciwill, competent to thame or ather of thame be deceis of thair guidschiris, fatheris, or be thameselfis to vtheris, for quhatsumewir caus or actioune, and of all letteris of lauborrovis execute be ather of thame againis wtheris, actis of cautionarie and actioneis of contraventione competent to ather of thame against wtheris preceding thir presentis, bandis, obligationis, writtis, contractis or vtheris pretendit richtis preceding the dait heirof; exceptand alwayis the contract maid betuix the said Patrik Grant of Balnadallache and wmquhill Johne Grant of Carone anent the marching of thair landis quhairvpone this discharge sall navay extend; but preiudice alwayis of the contract abone writtin, eftir deceis of the said Johne Grant of Freuquhy, of the forsaid dait at Phonas the said fourt day of Februar, the zeir of God j^{m}vj^{c} and aucht zeiris; quhilk contract, haill strenth and effect thairof, and all executioun thairwpoun, sall ceas during the lyiftyme of the said Johne

allanerlie, befoir ony wther iudge: And promittis faythfullie, be the faith and trewth in thair bodies and vnder the panis of periurie and defamatioun, to leiff amiabillie and cheritabillie but ony grudge or hid malis with vtheris, in all tymes cuming, but ony brek priwalie nor oppinlie to be downe or meanit to vtheris or aganis vtheris, and thair forsaidis, in all tymes cuming, but fraud or gyll: And for suir obserwing heirof, baith the saidis pairties, for thame selfis and thair forsaidis airis, ar content and consentis that the samyn be insert and registrat in the buikis of Sessione and Counsall, thair to stand as ane confessit act and iudiciall decreit, with executoriallis of horning and poynding and warding, the ane but preiudice of the vther, to pas vpone ane simple charge of ten dayis allanerlie; and to that effect constitute and ordanis honorabill men and ilk ane of thame our procuratouris, to compeir befoir the saidis lordis of counsall, and consent to the registratioune heirof, in vberiori constitutionis forma; promittentes de rato. In witnes quhairof, baith the saidis pairties hes subscryuit thir presentis, wrettin be Johne Sutherland, sone laufull to Alexander Sutherland burges of Elgin, vith thair proper handis, day, zeir, moneth and place forsaid; befoir thir witnesses, Mr James Grant of Edinbillie, Lauchlan Grant of Elcheis, Gregor Grant in Garthynemoir, Thomas Grant of Hiltoun, and Johne Donaldsone, notar publict.

Patrik Grant off Balnadallache.
Lachlane Grantt, witnes. Patrik Grant of Carne.
Gregour Grant, witnes.
Thomas Grant vitnes. J. Donaldsone, notar publict, wreatter of the
Mr James Grantt of Edinbille, witnes. witnessis nameis, witnes present.

184. Commission by David Lord Scone and James Campbell of Lawers to the Laird of Grant, to intercommune with the Clan Gregor. 17th April 1613.

Be it kend till all men be thir present letteris, ws, Dauid lord of Skone and Jeames Campbell of Laueris, wnderstanding that ane nobell and potent lord, Archibald Erle of Argyll, his Maiesteis lyuetennent against the Clangregour, is for the present out of this his Maiesteis kingdome of Scotland, and in regeard the laird of Grant hes testefeid vnto ws, in the said nobell lordis absens, his willingnes to do his Maiestie and the said nobell lord good seruice against the said Clangregour; thairfore, we be the tennour heirof, and in name and behalf of the said nobell lord, giues full power and commissioun to the said laird of Grant, and to the number of ten personis quhome he sall thinke most fitting, to meit and intercomone with any of the said Clangregor now his Maiesteis rebels, at any tyme, and quhair the said laird of Grant sall thinke expedient; and bindis and oblissis ws, that from the day and deat heirof vntill the tuentie of Jun nixtocum, we sall warrant and skeathles keipe the said lord of Grant and the saidis ten personis—they heaving the said laird of

Grantis warrant for thair imployment be him,—off all danger or inconuenient he or they might haue incurrit for not obseruing his Maiesteis lauis and proclamatioun maid in the contrar. In witnes quhairof, we haue subscryuit thir presentis, at Pearth, the sewintene day of Apryll, the zeir of God j^{m}vj^{c} and threttene zeiris; before thir witnessis, Williame Maister of Tullibardine, and Archibald Campbell of Glenkaredell.

A. Campbell of Glenkaredell. D. L. Scone.

W. M^{r} Tullibardine, vittnes. James Campbell off Lawiris.

185. Precept for a Remission to John Grant of Freuchie and his surname of certain penalties incurred by them, etc. 1613.

Oure Souerane Lord ordanes ane letter to be maid vnder his Hienes priuie seill in dew forme, makand mentioun that his maiestie haifing consideratioun of the guid, trew and thankfull seruice done be his Hienes louit Johnne Grant of Freuquhie, alsueill in his Maiesties priuat and particular effairis as in the commoun and publict effairis of the realme of Scotland, notourlie knawin and tryit be his Hienes to haif bene verrie pröfitabill to his Maiestie and to the commoun weill of the said realme and leigis thairof, and of the extraordiner panes and travellis takin be the said Johnne Grant, be himself and be his haill surname, kyn and freindis, and vthers his vassellis and dependeris, at his hienes speciall command and directioun, in suppressing of the surname and clan of M^{c}Gregour and vther rebellious disordourit and broken Hieland men, and in taking and apprehending of that notorious and rebellious Hieland man, Allester M^{c}Allester M^{c}Gregour, ane of the speciallis of the said clan of M^{c}Gregour, and quhairin he hes sustenit grit charges and expenssis, and has ressauit na recompence thairof: Thairfoir our said Souerane Lord, with auyse and consent of his Hienes trustie and weilbelouit counsalour, Sir Gedeon Murray of Elibank, knycht, thesaurar, comptroller and collectour of the kingdome of Scotland, depute be his Maiestie, and of the lordis of his Hienes secreit counsall of the samyn kingdome, his Hienes commissioneris, hes remittit, discharget, and forgevin, and be the tennour of the said letter remittis, discharges, and simpliciter forgevis to the said Johnne Grant of Freuquhie, Patrik Grant of Ballindolloch and to all vtheris of the surname of Grant, and to thair kynsmen, vassellis, men, tennentis, and servandis, all and sindrie sowmes of money, panes, penalties, fynes and vnlawis quhatsumeuir incurrit be thame or ony of thame, for thair nocht compeirance befoir the saidis lordis of his Hienes secreit counsall of the said kingdome of Scotland, or for nocht entering and presenting befoir thame, or befoir his Hienes iustice and his deputtis, of quhatsumeuir persone or persones for quhome thay ar haldin to ansuer, be vertew of the generall band and actis of parliament maid in the zeiris of God j^{m}v^{c} four scoir sevin and four scoir fourtene zeiris; or zit for ressett, supplie or intercommoning with ony of the said clan of M^{c}Gregour

or vther rebellious broken Hieland man quhatsumeuir in ony tyme bygane; or for quhatsumeuir vther cause bypast preceiding the dait heirof, or quhairin they, or ony of thame, ar convictt and fyneit be the saidis lordis of his Hienes priuie counsall in ony tyme bygane: Renunceand and simpliciter dischargeand the samyn, with all actis, decreitis and sentences gevin and pronuncit thairanent, and all letteris following thairvpoun, haill effectis and contentis of the samyn, be thir presenttis for euir: Dischargeing heirby his Hienes thesaurer and donatouris quhatsumeuir and thair officeris of all calling, accusing, persewing, chargeing, or onywayes trubling or molesting of the foirnamit persones and thair foirsaidis for payment making to thame of the samyn sowmes of money, fynes and vnlawis, or ony pairt thairof, in ony tyme heirefter; and that the said letter be forder extendit in dew forme, with all claussis neidfull. Gevin at the day of the zeir of God j^m^vj^c^ and threttene zeiris.

186. Remission to John Roy M^c^Gregor for the apprehension of Alexander M^c^Allester M^c^Gregor. 15th January 1614.

Jacobus Dei gratia Magne Britannie, Francie et Hybernie Rex, fideique defensor, omnibus probis hominibus suis ad quos presentes litere peruenerint, salutem. Sciatis nos, ex nostris gratia et misericordia specialibus, remisisse, tenoreque presentium remittere dilecto nostro Joanni Roy M^c^Gregour, filio Duncani M^c^Eane Thome M^c^Gregour, rancorem animi nostri, sectam regiam ac omnem actionem seu causam quas erga ipsum concepimus, habuimus, habemus, seu quouismodo concipere vel habere poterimus, pro apprehensione Alexandri M^c^Allester M^c^Gregour, ac pro omnibus actione et crimine, ciuili aut criminali, que desuper sequi aut dicto Joanni Roy quouismodo inde imputari poterint; necnon pro omnibus aliis criminibus, transgressionibus et noxiis, per dictum Joannem Roy M^c^Gregour, aliquo tempore preterito diem date presentium precedente, perpetratis aut commissis; ac pro omnibus actionibus, ciuilibus vel criminalibus, que desuper sequi poterint: Dummodo partibus conquerentibus et damna passis taliter satisfaciat vt nullam super hoc de cetero justam querimoniam audiamus: Et supradictum Joannem Roy M^c^Gregour, sub firma pace et protectione nostra juste suscipientes firmiter inhibemus ne quis ei occasione predicta malum, molestiam, injuriam aut grauamen aliquod inferre presumat injuste, super plenariam nostram forisfacturam, aut mortem illi inferat, sub pena amissionis vite et membrorum. In cuius rei testimonium has literas nostras remissionis, pro toto tempore vite dicti Joannis Roy M^c^Gregour duraturas, sub nostro magno sigillo sibi fieri fecimus patentes; apud Roystoun, decimo quinto die mensis Januarii, anno Domini millesimo sexcentesimo decimo quarto, et regni nostri quadragesimo septimo et vndecimo.

Dorso: Presented and sealled at Edinburgh, 23 Februarii 1615.—J. Raithe.

Writtin to the great seall, 23 Februarii 1615.—J. Scott.

187. Commission by Alexander Forbes, Commissioner for trying Gipsies, appointing John Grant of Freuchie and Sir John Grant of Mulben his son, his depute commissioners. 26th May 1620.

Be it kend till all men be thir present letteris, me, Alexander Forbes, seruitour to my lord duik of Lennox, etc., commissionar speciallie appoyntit be his Maiestie and lordis of Secreit Counsaill to trye and puneis all ressettaris, supplearis and helparis of thaes idill and wagabund peopill callit Egiptianeis, within the realme of Scotland, haweing power thairby to compone, transact and agrie with all personeis giltie of the said cryme, for the eas of our souerane lordis liegeis, the men, tenentis, serwandis, kinismen and dependaris of Johne Grant of Freuquhye and Sir Johne Grant of Mulben, knycht, his sone, and for saiffing of thame from great and exorbitant trawellis, paneis and chargeis, and for diuers and sindrie wtheris guid respectis and considerationis moveing me, on the behalf of the saidis Johne Grant of Freuquhye and his said sone, and thair forsaidis: Witt ye me, thairfoir, to hawe maid, constitute, creat and ordanit, lykas be thir presentis I mak, constitute, creat and ordain the saidis Johne Grant of Freuquhye and Sir Johne Grant of Mulben, knycht, his sone, coniunctlie and seuerallie, my comissionaris deputeis in that pairt: Gewand, grantand and committand to thame and ilkane of thame, coniunctlie and seuerallie, as said is, my werray full frie plane power, expres bidding and charge and commissioun, for me, in my name and wpone my behalf, court or courtis of justiciarie for resset, supplie, help and intertenement giffin to the saidis vagabund Egiptianeis wpone anie landis and heretageis pertening to the saidis Johne Grant of Freuquhye and Sir Johne Grant of Mulben his sone, thair kin, freindis and dependaris, quhaireuir the samen lye within the realme, to hald, affix, afferme, and continew; and to creat, mak and caus be suorne all memberis of court necessar, for quhom they salbe ansuerabill; and with power to thame and ilkane of thame, coniunctlie and seuerallie, to caus summon, call, convene and persew all and sindrie personeis, of quhatsumeuir degrie and qualitie, duelland wpone and within quhatsumeuir boundis pertening to the saidis Johne Grant of Freuquhye and his sone, and thair kin, freindis and dependaris, treulie giltie of resset, supplie, intertenement and help of the saidis idill wagabundis; and to trye, examine and fyne thame, conform to thair demeriteis, according to reasone, conscience and justice; and the fyneis and benefiteis of the saidis giltie personeis to uptak and intromett with, and the samen to thair awin wse and commoditie to applye and bestow: And to that effect, and for tryeing of the saidis personeis, ressettaris, supplearis, and intertenearis of the saidis idill peopill, assyissis and inqueistis to caus be summonit and suorne; and generallie, all and sindrie wtheris thingis concerning the weill of the premissis to do, wse and exerce als frielie, in all respectis and in siclyk forme and maner as I mocht hawe done myself befoir the making heirof: Ferme and stabill, etc. And with power and commissioun also to the saidis Johne Grant of

188. HEADS OF AN AGREEMENT between JOHN GRANT of Freuchie and JOHN GRANT of Rothiemurchus, with reference to the provisions in the contract of marriage of the latter. 13th April 1621.

HEADIS and conditiounis commonit and agreit wpone betuix the richt honorabill Johne Grant of Freuquhye, on that ane pairt, and Johne Grant of Rothemurchus, on that wther pairt, as followis: In the first, seing the said Johne Grant of Rothemurchus is, be contract matrimoniall maid and endit betuix wmquhill Mr Thomas Dunbar, dene of Morray, for himself and takand the burdine on him for Margarat Dunbar his laufull dochter, on that ane pairt, and the said Johne, on that wther pairt, to infeft the said Margarat Dunbar now his spous, in lyverent for all the dayis of hir lyiftyme, in all and haill the landis and baronie of Rothiemurchus, with the pertinentis, or in the landis of Over Fynlarge alias callit Mucroche, with the mill of Fenrachie and croft thairof, in the optioun of the said Margarat, as the said contract beiris; to the effect the said Johne Grant of Rothemurchus mey the better do the samen, the said Johne Grant of Freuquhye, superiour to the said Johne Grant of Rothemurchus, be thir presentis bindis and obleissis him to enter and admit the said Johne Grant of Rothemurchus, as air maill to wmquhill Duncane Grant apperand of Rothemurchus his brother, or to Patrik Grant of Rothemurchus thair father, in the will and optioun of the said Johne Grant of Rothemurchus, in all and sindrie the landis of Rothemurchus and Over Fynlarge alias Mucroche, with the millis of Rothemurchus and Fenrachie and croftis thairof, and thair pertinentis, and in all and sindrie the landis of Bellinespick and Ardinche; and sall deliuer to the said Johne ane precept of seasing, be way of clare constat, of all and sindrie the saidis landis and wtheris, to the effect the said Johne, as air maill forsaid, mey tak state, seasing and possessioun thairof, conform to the tenour of the originall infeftmentis grantit to the saidis wmquhill Patrik Grant of Rothemurchus and Duncane Grant, apperand thereof: As lyikueyis the said Johne Grant of Freuquhye, superiour forsaid, sall conferme and ratifie the infeftmentis, richtis and securiteis to be maid be the said Johne Grant of Rothemurchus to the said Margarat Dunbar, wpone ather of the saidis landis, and sall subscriue and deliuer his ordinar confirmatioun thairon, in forme as effeiris: As also the said Johne Grant of Freuquhye sall sett in tak and assedatioun to the said Johne Grant of Rothemurchus, and to the said Margarat Dunbar, incace sche be infeft in the saidis landis of Mucroche, all and sindrie the teynd shaweis and teynd vicarage of all and haill the forsaidis landis of Over Fynlarg, alias callit Mucroche, and croft of Fenrachie, pairtis, pendicleis, outseattis and pertinentis thairof, in lyverent, for all the dayis of the said Johne his lyiftyme, and of the said Margarat hir lyiftyme, in cace forsaid, for zeirlie payment of the sowme of sex pundis wsuall Scottis monie of teynd siluer, and of tuelf pundis monie forsaid of teynd vicarage siluer, at the termes of payment respectiue wsit and wount; with warrandice fra the said Johne Grant of Freuquhyeis awin deid allanerlie: As also the said Johne Grant of Freuquhye

sall discharge the said Johne Grant of Rothemurchus of all bygane feudeutieis of the saidis landis of Rothemurchus and Mucroche, of the crope and zere of God j^m^ sex hundreth and tuentie zereis, and of all zereis and termeis bygane preceding the date heirof: As also, sall discharge the said Johne of all maillis, customeis and deutieis addebtit be himself or be the said wmquhill Patrik his father for the landis of the thre auchten partis of Mid Fynlarge callit Ochcork, landis of Forrechinie and croft of toun of Drummeilzie of all zereis and termeis bygane, and of all teynd siluer and teynd vicarage siluer restand of the saidis landis of Rothemurchus and Mucroch and their pertinentis, of all zereis and termeis bypast, and of all taxatiounis bygane preceding the date heirof; and of all wtheris actiounis and questiounis competent to the said Johne Grant of Freuquhye contrair the said Johne Grant of Rothemurchus, or be the said wmquhill Patrik his father, for onie restis, debtis or sowmeis of monie restand be the said Johne Grant of Rothemurchus to the said Johne Grant of Freuquhye for quhatsumeuir caus bygane preceding the date heirof; quhairwpoun [he] sall gif particular acquittanceis and dischargeis in ampill forme: For the quhilkis premissis the said Johne Grant of Rothemurchus, be thir presentis, bindis and obleissis him, his airis and intromettouris with his guidis and geir, to content and pay to the said Johne Grant of Freuquhye, his airis or assignayis, all and haill the sowme of tua thowsand merkis wsuall Scottis money, befoir the feast and terme of Whitsonday nixtocum in this instant zere of God j^m^ sex hundreth tuentie and ane zereis; with the sowme of four hundreth merkis money forsaid for liquidat expenssis, in cace of nocht tymous payment of the saidis tua thowsand merkis as said is: And siclyk, the said Johne Grant of Rothemurchus sall discharge and renunce to the said Johne Grant of Freuquhye all bandis, obligatiounis, infeftmentis and wtheris competent to him, onie way maid be the said Johne Grant of Frequhye to the said wmquhill Patrik Grant of Rothemurchus, his airis or assignayis, and all sowmeis of money, debtis and wtheris quhatsumeuir restand be the said Johne Grant of Frequhye to the said Johne Grant of Rothemurchus be quhatsumeuir way or for quhatsumeuir caus, deid, or occasioun bygane preceding the date heirof: Quhilkis premissis and euerie particular heid, claus, and conditioun heirin contenit abonewrittin, the saidis pairteis be thir presentis bindis and obleissis thame, thair airis, executouris and assignayis to obserwe, performe, obey and fulfill, ather to wtheris, in maner as is abone set doun: And for the mair securitie, they ar contentit, and they consent that thir presentis be insert and registrat in the buikis of Counsall and Sessioun, and hawe the strenth of ane decreit of the lordis thairof, thair auctoritie to be interponit heirto, with letteris and executoriallis of horning, poynding, or warding, the ane but preiudice of the wther, to pas heirvpone on ane singill charge of fyvetene dayis allanerlie; and for acting and registring heirof, they mak and constitute coniunctlie and seuerallie, thair laufull procuratouris, in vberiore constitutionis forma; promittentes de rato; and generallie, etc. In witnes quhairof, the saidis partieis hes subscryuit thir presentis, wreattin be Johne Donaldsone, notar publict, with thair handis, at Lethin, the thrattene day of Aprill, the zere of God j^m^

sex hundreth tuentie ane zereis; befoir thir witnessis, ane nobill and potent lord, Walter lord of Deskford, Sir Johne Grant of Mulben, knicht, Mr James Grant of Logie, Robert Dunbar of Burgie, Alexander Dunbar of Westgrange, and the said Johne Donaldsone, wreatter heirof.

Deskfoord, vittnes.
S. J. Grant, wittnes.
R. D. Bourge, vitnes presentt.
Mr James Grant of Logie, witnes.
J. Donaldsone, notar publict, wreatter of the premissis, witnes.

Jhone Grant of Freuquhy.
Johne Grant of Rothemurchus.

A. Dumbar, witnes.

189. Licence by the Privy Council to Sir John Grant of Freuchie and others to intercommune with Allan McEanduy of Lochaber. 17th December 1622.

Apud Edinburgh, decimo septimo die mensis Decembris, anno Domini millesimo sexcentesimo vigesimo secundo.

Forsamekle as althocht it hes pleasit the Kingis Maiestie, with aduise of the lordis of his secreit counsell, to grant ane commissioun to Sir Johne Grant of Frewchie and to some otheris persones nominat thairintill, for persute of Allane McEanduy of Lochquhaber, in maner specefeit in the said commissioun; yitt, his Maiestie, out of his naturall inclinatioun and dispositioun of clemencie and mercy being weele pleased that the said Allan salbe delt with to rander his obedience to his Maiestie, and to gif contentment and satisfactioun to his Maiesties subiectis interest be him afoir the terme appoyntit for begining of the seruice and prosequtioun of the said commissioun: Thairfoir, the saidis lordis gevis and grantis licence, be thir presentis, to the said Sir Johne Grant, and to Williame Sutherland of Duffus, Sir Mungo Murray of Drumcairne, Patrik Grant of Ballindallache, Johne Grant of Glenmorestoune, Patrik Gibsoun of Schirefmilne, Mr Donnald Campbell of Parbrek, Duncane Grant in Allane Grant in Lattoche, Patrik Grant of Elcheis, Robert Grant of Lurg, Allane McClayne of Ardgour, and Johne Donnaldsone seruitor to the said Sir Johne Grant, or ony one of thame, to confer and intercommoun with the said Allane for reduceing of him to his Maiesteis obedience, and geving contentment and satisfactioun to the laird of McIntoshe in suche materis wherin he is interest be him; and that at all tymes and occasiouns vntill the first day of Maii nix to come, without pane or danger to be incurrit be thame thairthrow in thair persones or guidis, notwithstanding quhatsomeuir actis or proclamatiouns maid in the contrair, wheranent and all panes contenit thairintill the saidis lordis dispenssis be thir presentis vntill the said first day of Maii nix to come: Prouyding alwayis that they dale not with him in the particulair of McIntoshes till first they deale with him for reducing of him to his Maiesteis obedience, and that they saitle not with him in the mater of McIntoshes

vnles he gif his obedience to his Maiestie and his counsell. Extractum de libris actorum secreti consillii S. D. N. Regis per me Jacobum Prymrois clericum eiusdem, sub meis signo et subscriptione manualibus. JACOBUS PRYMROIS.

190. NOTE OF THE AGES of the Children of LADY LILIAS MURRAY, Lady Grant of Grant. The original is holograph of her Ladyship. 1622.

MY BAIRNES EIGES.

Item, first, the Lady Makintoche is xxviii zeris avld at thes Michellmes in vi^{c} and xxij zeris.

Next my sone vos borne the xvij of Agust in ane thovsand vi^{c} iiij^{xx}vj zeris [1596], and is nov at thes Lames by past in vi^{c} and xxii zeris, xxvj zeris.

The Lady Dvffes is at thes Michellmess xxv zeris.

Lillias is xxiiij zeris cvm Andersmes in thes zeir vi^{c} and xxiij zeris.

Kathrein is xviij zeris cvm Candillmess in vi^{c} and xxiij zeris.

Nota.—Villiam Makintoche, sone to Makintoche, vas borne in Forres on Thvrsday the xxv of Febrewar in vi^{c} and xiij zeris, and is x zeris avld cvm Fastrinis Ewin in vj^{c} and xxiij zeris.

Notta.—James Grant, sone to my sone, is vj zeris avld att Medsvmer in vi^{c} and xxij zeris.

Notta.—Makintoche departted this lyf on Vodnesday the xix of Junii vi^{c} and xxij.

Notta.—The Laird departted thes lyf on Fryday the xx of September vi^{c} and xxij zeris.

191. RETOUR of SIR JOHN GRANT of Mulben, knight, as heir of JOHN GRANT of Freuchie, his father, in the lands and barony of Lethin. 19th February 1623.

HÆC INQUISITIO facta fuit in pretorio burgi de Narne, decimo nono die mensis Februarii, anno Domini millesimo sexcentesimo vigesimo tertio, coram honorabili viro Jacobo Dumbar de Bothe, vicecomite deputato honorabilis viri domini Joannis Campbell de Calder, militis, vicecomitis principalis vicecomitatus de Narne, in curia fensata, per hos probos et fideles homines patrie subscriptos; videlicet, Willelmum Sutherland de Duffus, Hugonem Ros de Kilrauok, Joannem Dumbar de Moynes, Davidem Hay de Lochloy, Jacobum Sutherland de Kinsterie, Patricium Grant de Balnadalloch, Joannem Grant de Glenmoristoune, Willielmum Ros de Slines, Patricium Grant de Eister Elcheis, Alexandrum Kynnaird apparentem de Cubin, Jacobum Dumbar de Penik, Patricium Gibsoune de Schirrefmylne, Willelmum Dollas de Budzet, Gulielmum Hay de Kirktoune, Joannem Hay de Kynnowdie, magistrum Willelmum Campbell de Geddas, Lauchlanum Grant de Westir Elcheis, Lauchlanum M^{c}Intosche de Gask, Joannem Tulloch, burgensem de Nairne: Qui jurati dicunt, quod quondam Joannes Grant de Frewquhy, pater domini Joannis Grant de Mulben, militis,

latoris presentium, obiit vltimo vestitus et sasitus vt de feodo, ad pacem et fidem supremi domini nostri Regis, in totis et integris terris et baronia de Lethin, in eadem comprehendente terras dominicales lie maynis de Lethin, cum turre et fortalicio, manerie, domibus, hortis et edificiis earundem, molendinum de Lethin cum terris molendinariis et multuris ejusdem, terras de Ar, terras de Lethinbar, Mylnetoune, Newtoune, Achavelgyne, Littillslynis, Auchmoir, Dounerne, cum molendino, terris molendinariis et multuris earundem, Littill Dulceis, Mekill Dulceis, Drumlochanelyne, Tomlachlane, Colindoune; cum communia et pastura in moris et marresiis lie Braidschaw nuncupatis; cum salmonum piscariis super integra aqua de Findorne, tam lie pottis et puillis earundem vocatis Dowpuill, Cowpuill, Polgragane, Puil Cragence, Puil Nicoll, Puill Inche, Puilschot, Puilnes, Puilquhymmane; acetiam super integris residuis dicte aque de Findorne partibus, et lie puillis et pottis ejusdem, in et ex vtraque parte et latere dicte aque; vnacum omnibus et singulis castris, turribus, fortaliciis, maneriebus, domibus, edificiis, hortis, pomariis, columbariis lie outsettis, toftis, croftis, silvis, forrestis, molendinis, multuris, piscationibus tam in aquis salsis quam dulcibus, tam salmonum piscariis quam aliis piscariis, outsettis, dependentiis, cottagiis, annexis, connexis, tenentibus, tenandriis et liberetenentium servitiis omnium et singularum prenominatarum terrarum et baronie de Lethin cum suis pertinentiis; jacentibus infra vicecomitatum de Nairne, erectis, vnitis et incorporatis in vnam integram et liberam baroniam nunc et omni tempore futuro Baroniam de Lethin nuncupandam, cum libera forresta infra omnes bondas ejusdem: Et quod vnica sasina apud principale messuagium de Lethin capienda stabit et sufficiens erit sasina pro omnibus et singulis prenominatis terris et baronia continente et comprehendente dictas terras et alia suprascripta, respectiue et particulariter supramentionata, cum suis pertinentiis, absque vlla alia speciali seu particulari sasina de eisdem suscipienda, non obstante quod eedem invicem et contigue minime jacent, sed separatim et in diversis partibus: Et quod dictus dominus Joannes Grant est legitimus et propinquior heres masculus dicti quondam Joannis Grant de Frewquhy, sui patris, de totis et integris predictis terris et baronia de Lethin, in eadem comprehendente villas, terras, molendina, piscarias, et alia particulariter supramentionata, cum turribus, fortaliciis, maneriebus, domibus, edificiis, hortis, pomariis et suis pertinentiis vniversis superius expressis, jacentibus vt supra, erectis, vnitis et incorporatis in vnam integram et liberam baroniam de Lethin et forestam: Et quod est legitime ætatis: Et quod tote et integre predicte terre et baronia de Lethin, in eadem comprehendens villas, terras, molendina, piscationes, et alia particulariter supramentionata, cum turribus, fortaliciis, maneriebus, domibus, edificiis, hortis, pomariis et suis pertinentiis, erecte, vnite et incorporate in libera baronia et forresta, iacentes vt dictum est, valent nunc per annum summam quinquaginta librarum vsualis monete regni Scotie, et valuerunt tempore pacis summam decem librarum monete predicte: Et quod tote et integre predicte terre et baronia de Lethin, in eadem comprehendens villas, terras, molendina, piscationes, et alia particulariter suprascripta, cum turribus, fortaliciis, maneriebus, domibus, edificiis, hortis,

pomariis et ceteris pertinentiis vniversis, vnite, erecte et incorporate in vnam integram et liberam baroniam cum forresta, vt dictum est, jacentes, tenentur in capite de supremo domino nostro Rege et suis successoribus, in feodo, hereditate ac libera baronia et forresta: Reddendo jura et servitia de eisdem debita et consueta: Et quod tote et integre predicte terre et baronia de Lethin, in eadem comprehendens villas, terras, molendina, piscationes et alia, particulariter vnitas erectas et incorporatas, vt dictum est, nunc existunt, prout extiterunt in manibus honorabilis domine Lilie Murray, relicte dicti quondam Joannis Grant de Frewquhy coniuncte infeodatricis earundem, ratione sue conjuncte infeodationis dictarum terrarum cum predicto quondam Joanne suo marito, tente de dicto supremo domino nostro Rege, et per dictum supremum dominum nostrum Regem debite confirmate, continuo a decessu dicti quondam Joannis qui decessit die vigesimo mensis Septembris vltimo elapsi, anno Domini millesimo sexcentesimo vigesimo secundo, in defectu dicti domini Joannis Grant jus suum huevsque minime prosequentis: In cuius rei testimonium sigilla quorundam eorum qui dicte inquisitioni intererant, vnacum brevi regio intus clauso, et sigillum dicti domini Joannis Campbell, vicecomitis principalis vicecomitatus de Nairne sunt appensa presentibus. Sic subscribitur. Ita est, Jacobus Abrahame, notarius publicus ac clericus dicti vicecomitatus de Nairne, teste manu propria.

Hæc est vera copia principalis retornatus super premissis in cancellaria supremi domini nostri Regis remanentis, copiata et collationata per me dominum Joannem Scott de Scottistarvet, militem, vnum dominorum secreti consilii et scaccarii, eiusdemque cancellarie directorem, sub meis signo et subscriptione manualibus. Jo. Scott.

192. Bond of Safety by Allan Cameron of Lochiel to Sir John Grant of Freuchie. 13th June 1623.

I, Allane Camrone of Locheill, for my selff and takand the burdine in and vpone me for my kyne, freindis, followaris, partakeris, and dependaris, be thir presentis assuir Sir Johnne Grant of Frewquhye, knycht, and vpone my honour and credite faithfullie promitt that the said Sir Johnne, his bairnis, men, tenentis, servandis, dependaris, and all sic as he sall bring with him to the meitting betuix him and me, salbe harmeles and skaithles of me and my foirsaidis; and that the said Sir Johne and his foirsaidis sall nawayes be harmeit, trubillit, molestit and invaidit in thair bodyis, landis, possessiounes, guidis and geir, be me and all these afoirsaidis for quhom I tak burdine, vntill the auchtene day of Julii nixt to cum; and I faithfullie promeis to the said Sir Johnne and his foirsaidis that the premissis salbe inviolabillie keipit, vnder the pane of perjurie, infamie and defamatioun for ever: In witnes quhairof I haue subscryuit thir presentis with my hand, at Tarbert in Sownart, the threttene day

of Junii, the zeir of God j^m^vj^c and tuentye thrie zeiris; befoir thir witnessis, M^r Donald Campbell of Parbrek, Johne Stewart of Ardseall, Malcome M^c^Voylane, chirurgiane in Atholl. and Johnne Balvaird, notar in Dunkeld, wrettar heiroff.

M^r Donald Campbell, witnes. ALLAN CAMRON of Lochzill.
J. Steuart of Ardsell, witnes.
Malcom M^c^Woline, witnes.
Johnne Balvaird, notar, witnes.

193. BOND OF MANRENT by ALLAN MACRONNALD of Lundye to SIR JOHN GRANT of Freuchie. 29th August 1626.

BE IT KEND till all men be thir present letteris, me, Allane Mackronnald of Lundye, vnderstanding perfytlie that the right worschipfull Sir Johne Grant of Freuchie, knight, and his honorabill predicessoris hes bene the plàcers and manteinaris of me and my predicessoris in our landis, roumes and possessionis, and hes defendit ws in all our laufull affairis heirtofoir, so that my saidis predicessoris wer obleist in all dewtifull seruice to him and his predicessoris; thairfoir, and to the effect that his said kyndlie mantenance and defence may remaine towardis me and my successoris, I bind and obleis me and my aires, and posteritie proceiding of my bodie, faithfullie and trewlie, to the said Sir Johne Grant and his aires, lairdis of Grant, in manrent and seruice in all tyme heirefter to cum; promitting and obleising me and my saidis aires and posterity to be leill and trew to him and his forsaidis and efauld in all tyme cumyng; his cunsall and secreittis shawin and vnderstand be me I sall conceill and keip secreit, and geue to him and his forsaidis the best cunsall I can; his dampnage, skaithe and hourt in his persoun, honour and goodis, I sall at na tyme witt, heir, sie nor vnderstand, bot I sall aduerteis thame thairof, and stop and let the samen at the vtermost of my pouer: And als I sall tack ane leill, trew and plain pairt with the said Sir Johne and his forsaidis in all and sindrie his actionis, caussis and defences laufull againes quhatsumeuir persoun or personis in sa far as lyes in my pouer (the Kingis Maiestie, his Hienes successoris exceptit, and exceptand also the laird of Glengarrie, my cheiff, and his laufull airis, the lairdis of Glengarrie, allanerlie): And heirto I bind and obleis me and my forsaidis be the faith and trewth in myne and thair bodyes, but reclamatioun; and consentis thir presentis be registrat in the bookes of cunsall, schiref or commissar bookes of Inuernes, ad futuram rei memoriam, with executoriallis to be direct heirvpon on sax dayes chairge allanerlie; and thairfoir I constitut my procuratoris, to compeir and consent to the registring heirof; promittentes de rato. In witnes quhairof, wrettin be Alexander Logane, notar, I haue subscryuit thir presentis with my hand as followes, att Inuernes, the tuentie nynt day of August j^m^vi^c tuentie sax zeiris, befoir thir witnessis, Johne Grant of Glenmorestoun, Patrik Grant, apperand thairof, Johne M^c^Leane, apperand of Dauochgarrioch, Johne Finlaysoun, seruitour

to the said Johne Grant, William Reid, notar publict, and Alexander Logane, notar, wreitter heirof, and Finley Grant in Belmakean.

ALLANE MACKRONNALD of Lundie abonenamet, with my hand led at the pen be the connotaris publict vndernamit, at my speciall command, becaus I can nocht wreit.

Ita est, Alexander Logane, notarius publicus in premissis, ex mandato dicti Allani M^{c}Ronnald de Lundye, scribere nescientis, vt asseruit, rogatus, teste manu propria.

De mandato dicti Allani MakRonald scribere nescientis, in premissis ego Willielmus Reid, conotarius publicus, requisitus subscribo, testante manu propria.

Jhone Grant of Glenmoristoun, witnes.
Patrik Grant, witnes.
Jo^{n} M^{c}Leane, witnes.
Finlay Grant, vitnes.

194. CERTIFICATE by RANDAL EARL OF ANTRIM that ALEXANDER GRANT, a Scotch gentleman, was at Dunluce, in Ireland, on 25th October 1630.

THESE ar to certefie and mak knowen to all and singular his Maiesties officeris, ministeris and loving subiectes, to whom it appertaines, and who hath to do with Alexander Graunt, a Scotis gentleman some tyme dowelling in Tullagh, in the parish of Kincardwine in Sraspe, as he termed him self, was heir at Dunluce in the kingdome of Irland the 25 day of October; which the said Alexander Graunt wished me to certefie, for some reasones to him best knowen; and also that Finley Mak Crumen of the parish of Kirkmichell was heir in company with the said Alexander Graunt: So much vppon my honour I do testefie to be true; witnes my hand, the last of October 1630. ANTRIM.

195. PETITION of MARGARET SINCLAIR to the KING anent the murder of her husband, JOHN GRANT of Carron. *Circa* 1630.

To the Kings most Excellent Majestie,

The humble peticioun of Margarett Sincler, the relicte of John Graunt of Carron;

WHOE most humblie sheweth vnto your royall Majesty, that whereas Ballendalloch (vpon falce suggestions pretended to your Maiesty to coulour and palliate his bloodie murther of your suppliants husband), procured your Majesties letters dated the 15th of Aprill 1629, directed to your Secret Councell of Scotland, that if Finley M^{c}Grimen did not sett sufficient caution

for his comperance to underlye the lawe before the first day of August then followinge, that their lordships should certifie your Majesty, as by the said letter appeares att large.

It may please your Majestie, this M^cGrimen (who was suggested to be in your petitioners late husbands companie when he was murthered, and to be one of the murtherers of John Grant, vncle of the said Ballendalloch), came to appeare att the said first of August last vpon perswations of noe other matters to be alleadged against him but vpon the contents conteyned in your Majesties said letters; but afterwards vnderstandinge of the truth of other materiall matters, and how, amongst others, two witnesses were produced, who were partyes to the murther of the vncle of the said Ballendalloch, and by him were suborned vpon promise for their periury to be freed of their murther, escaped without comperance. Now, forasmuch as the said Ballendalloch did wilfullye and vpon mallice kill your Highnes petitioners late husband, as shall appeare by many good and substantiall witnesses, and not in the execution of any comission, the said M^cGrimen nor noe other rebell then beinge in his company when he was murthered, but onely vseth delayes to keepe himself from recewinge the iust doome of his notorious murther.

Your petitioner therefore most humblie beseecheth your royall Majesty, of your accustomed goodness, to be gratiously pleased to graunt your royall new letters to your Secret Councell of Scotland, requiringe them to call before them the said Ballendalloch, and to cause him forthwith to shew his commission and horninge against the said M^cGrimen which he pretendeth to have, and to certifie youre Majesty the truth thereof: And therevpon that the said Ballendalloch may noe longer be protected nor suffred to withhould himselfe from the hand of justice; but that your Majesty will afford your petitioner and her children to take that benifitt against the said murtherer which to law and justice apperteyneth.

And as in dutie bound she and her children will dailye pray for your Majesties longe and happie raigne.

Indorsed: Petition—Margaret Sinclar, relict to John Grant of Carron, to the King.

196. Commission to Sir John Grant of Freuchie to apprehend Alaster Grant. 5th April 1631.

Charles R.

Charles, be the grace of God King of Great Britane, France and Ireland, defender of the faith, to all and sindrie our lieges and subjects whome it effeirs, to whois knowledge thir our letters sall come, greeting: Forsameekle as it is vnderstand to the lords of our priuie counsell, that, vpon the last day of September 1628 yeeres, Alaster Grant in Tulloche wes orderlie denunced our rebell and putt to our horne, be vertew of our vthers criminall letters, raised at the instance of Jonnet Grant, as mother to vmquhill Thomas Grant of Dalvey, Patrik Grant his brother, and Patrik Grant of Strahauche, his vncle, for his not compeirance

before our right trustie and weilbelouit cousine and counsellour, James erle of Murray, our lieutenant and justice in the North, and his deputs, at ane certane day bygane, to have underlyne the lawes for the cruell slauchter of the said vmquhill Thomas Grant and Lauchlane M^cIntoshe, sonne to vmquhill Thomas M^cIntoshe in Roakmore, committed be him and his complices in maner conteanit in our saids criminall letters, as the same dewlie execute, indorsat, and registrat, showne to the lords of our priuie counsell, beirs: At the processe whairof the said Alaster most proudlie and contempuandlie remaines our rebell, as yitt vnrelaxt, takand no regarde of the said horning, bot haunts, frequents, and repaires, publictlie and avowedlie, in all parts of the cuntrie at his pleasure, accompanied with nombers of brokin lymmars, committing depredatiouns, stouthreaffes, and vthers oppressiouns, vpon our good subjects within the bounds of Stratspey and Stradoun and others parts in the north: And whereas the first day of Julii nixtocome is assigned to our weilbelouit Sir Johne Grant of Freuchie, for exhibitioun of the said Alaster before the lords of our priuie counsell, as man, tennent and servant to him, and suche ane persoun for whome the said Sir Johne is found to be answerable be the lawes of this our kingdome; quhilk service the said Sir Johne hes vndertane, and in regarde he is bot ane priuat man, not warranted with power or auctoritie outwith his awine bounds, whairunto the said Alaster, vpon notice of this service, will be sparing to repaire, for eshewing of apprehensioun: Thairfoir we have givin and grantit, and be the tennour heirof, gives and grants our full power, auctoritie, and commissioun, expresse bidding and charge to the said Sir Johne Grant of Freuchie, to pas, searche, seeke, and take the said Alaster Grant, our rebell, whereeuer he may be apprehendit, and to bring, present, and exhibite him before the lords of oure priuie counsell, to the effect order and directioun may be givin for his punishement, as accords: And in case it sall happin the said Alaster, for eshewing of apprehensioun, to flee to strenths and houssis, with power to the said Sir Johne to pas, follow, and persew him, assiege the saids strenths and houssis, raise fyre, and vse all kinde of force and warrelyke ingyne that can be had for winning and recoverie of the same, and apprehending of the said Alaster being thairin: And if in persute of the said Alaster, he refuising to be tane, it sall happin him or anie being in companie with him, or within the said strenths and houssis and assisting him, to be hurt, woundit, mutilat, or slaine, or anie other inconvenient to follow thairvpoun, we will and grant, and for ws and our successoris decernis and declares, that the same sall not be imputе to our said commissioner, nor persouns assisting him, in the executioun of this our commissioun, as cryme nor offence, nor they nor nane of thame sall be callit nor accused thairfoir, criminallie nor civillie, be anie maner of way, in tyme coming, notwithstanding whatsomeuer our acts and statuts made in the contrare, whereanent and all paines conteanit thairin, wee dispense be thir presents: And generallie, all and sindrie others things to do, exerce, and vse, quhilks of the law and consuetude of this our realme, for executioun of this our commissioun, are knowne to perteane: Firme and stable halding and for to hald all and whatsumever

things sall be lawfullie done heirin; charging heirby yow, all and sindrie, our saids lieges and subjects, to reuerence, acknowledge and obey, ryse, concurre, fortifie and assist our said commissioner, in all and euerie thing tending to the executioun of this our commissioun; and to do, nor attempt no thing to the hinder nor prejudice thairof, as yow and euerie ane of yow will answer vpon the contrarie at your perell. Givin vnder our signet, at Halyrudhous, the fyft day of Apryle, and of our raigne the sevint yeir, 1631.

GEO. Cancell[us].
G. GORDOUNE.
AD. B. of Dunblane.
CARNEGY.
S[r] J. SCOTTISTARVETT.

Traquaire.
James Baillie.

197. ACT of the PRIVY COUNCIL anent SIR JOHN GRANT of Freuchie's entering ALASTER GRANT, a prisoner in the Tolbooth of Edinburgh. 19th July 1631.

Apud Halyrudhous, decimo nono die mensis Julii, anno Domini millesimo sexcentesimo tricesimo primo.

THE WHILK day the lords of secreit counsell, after reasoning and voting, finds and declares that Sir Johne Grant of Freuchie, knight, by the entrie and exhibitioun of Alaster Grant, rebell, who is made prisonner within the tolbuith of Edinburgh, hes satisfied and fulfilled the act whairby he wes obliged to that effect; and in respect thairof, the saids lords freeths and releeves the said Sir Johne Grant of the act foresaid, haill heids and articles thairof, and panes thairin conteanit, and discharges him thairof in all tyme couming; but prejudice alwayes to the parteis interest of anie action competent to thame vpon the act of parliament to be persewed agains him, as accords of the law. Extractum de libris actorum secreti consilii S. D. N. Regis, per me Magistrum Gilbertum Prymerois, clericum ejusdem, sub meis signo et subscriptione manualibus. M. G. PRYMEROSE.

198. OBLIGATION by COLONEL SIR HARRY BRUCE for the compearance of SIR JOHN GRANT of Freuchie before the Lords of Privy Council, to be examined with reference to JAMES and ALASTER GRANT. 29th March 1632.

Apud Halyrudhous, vicesimo nono die mensis Martii, anno Domini millesimo sexcentesimo tricesimo secundo.

THE WHILK day, in presence of the lords of secreit counsell, compeired personallie Sir Harie Bruce, colonell, and become actit and obleist, as cautioner and sovertie for Sir Johne Grant of Freuchie, that the said Sir Johne sall compeir personallie before the lords of privie counsell vpon the fourteene day of Junii nixtocome, to be examined and confronted with James Grant, prisonner in the castell of Edinburgh, and Alaster Grant, prisonner in the tolbuith of

Edinburgh, vpon suche interrogators as sall be givin in thereanent, vnder the pane of fyve thowsand merkes: And siclyke, that the said Sir Johne sall exhibite James Grant alias Our, his chamberlane, before the saids lords, the day foresaid, to the effect abone writtin, vnder the pane of ane thowsand merkes. Sic subscribitur, Henry Brus. Extractum de libris actorum secreti consilii S. D. N. Regis, per me Magistrum Gilbertum Prymrois, clericum ejusdem, sub meis signo et subscriptione manualibus. M. G. PRYMEROSE.

199. CERTIFICATE to the PRIVY COUNCIL of the LAIRD OF GRANT'S diligence in seeking to apprehend certain rebels. 4th January 1636.

TO THE ryght honorabill the lordis of his Maiesties most honorabill privie consaill, all health and true happines in our Sauiour Jhesus Christ. Be it knowin, as we your lordschippis humbill seruitouris, the ministeris of Godis word wndersubscryvearis, do truelie testifie, that the Laird of Grant hes done reall and true diligence in the service imposit wpone him for prosequuteing and apprehending of the rebellis, James Grant, Robert Grant his brother and George Grant his sone, in maner following: First, efter the lairdis cuming to Strathspey in October last, he send for Ballindalloche younger, and appoyntit ane privat meitting with him at the wod of Culquhoich; and at thair meitting inquerit at him quhat cours he thocht moist expedient to be takin for prosequuteing that service: Quhais ansuer and adwyis wes that the laird suld send to him aucht or tuelf men, quhom he wald direct with sum of his awin men in that bissines, in respect he thocht that privat dealling culd nocht effectuat the mater. The Laird according thairto, at his ernist desyir and wpone his assurance to find thame ane suir hounding of the rebellis, send out tuelf habill fensibill men of the best sort of his kin wpone his awin coistis and chargeis to zoung Balnadalloch, to ressawe fra him thair directiounis anent the searcheing and apprehending of the saidis rebellis; quho with tuo of Balnadallocheis awin men, all wpone the laird of Grantis chargeis, went and searcheit thame throu all the boundis of Inuerawin, Skeirdustane, Rathes, Balvanie, Murthlak, Auchindoun, and Glenrinnes, quhair they stayit be the space of fourtene dayis doand quhat they culd. Thairefter, in the end of Nouember last, wpone report of the rebellis being in Strathowin, the laird of Grant send out thrattie sex men with thair followaris to these boundis, quha searcheit the contrie and culd learne nothing of thair being thair; bot fand tua of his followaris and associatis, the ane of thame callit Johne Makallin VicGrumen, the wther nameit James Makwrebermoir, quhom they apprehendit and brocht with thame to his hous of Ballachastell, and quhom he hes send to your lordschippis. And in the midtyme of all thir searcheis, becaus he fand nocht that cours so profitabill for the haistie expeditioun of the service, he hes delt and is in dealling privatlie with certane men in Glenlivat, Strathdowin, Mar, and wtheris pairtis quhair the rebellis wer wount to haunt; and hes covenantit with thame and promesit large sowmeis of money, possessioun of landis, and wtheris guid deidis, for

taking of the saidis rebellis and deliuering thame to him, quick or deid: And he is in guid hoip in respect of thair faithfull promeissis to performe as occasioun suld offer. These we knou to be of veritie, and sua we testifie the samen wpone oure conscienceis. In witnessing quhairof we haif subscryuit thir presentis, wreattin be Johne Donaldsone, notar publick, with our handis at Cromdell, the fourt day of Januar, j^{m}vj^{c} thrattie sex zereis.

M^{r} D. Dick, persone of Advie and Crumdell.
M^{r} W. Watsone, persone of Duthell.
M^{r} Col. M^{c}Kenzie, persone of Abirnethie.

200. Testament of Sir John Grant of Freuchie. 31st March 1637.

I, Sir Johne Grant of Frewchie. knyght, being seik in bodie bot holl in mynd, doe recomend my sowll to the Lord, and houpes to be saffit be the mereitis of Jesus Chryst, my Saviour; and ordaines my bodie to be buried as it sall pleis my freindis; and nominatis Dame Marie Ogilvie, my lowing spous, and James Grant, my eldest laufull sone, my executouris and wniversall intromettouris with my guidis and geir; and ordanes them to give vpe inventar of the haill debtis restand be me and to me, and to pey debtis thairwith: And in speciall I grant and confes my selff to be restand awand to W^{m} M^{c}Intosche of Torcastell the sowme of ten thousand pundis; item, to Johne Rind, merchand, burges of Edinburgh, the sowme of aucht thousand merkis, with certane anvellrentis; item, to James Gibsone, advocat in Edinburgh, in twa bandis, the soume of thrie thousand fyve hundreth and fyftie merkis, with tua zeires anvellrent of the thirtein hundreth merkis, and ane zeires anvellrent of the wther band; item, to Walter Thomsone, merchand, burges of Edinburgh, ane thowsand pund, with tua zeires anvellrent; item, to James Spens off Alves Kirktoune, sex thowsand merkis of principall sowme, with ane zeires anvellrent; item, to John Tulloche, burges of Nairne, thrie thowsand merkis of principall sowme, with ane zeires anvellrent; item, to Lillias and Margaret Grantis, four thousand four hundreth fourtie four merkis, with tua zeires anvell; item, to John Grant of Moynes, ane thowsand and fyftie punds of principall sowme, with certane bygaine anvellis: With power as is foirsaid, in respect of my waiknes, to my saidis executouris, to give vpe the inventar of the remanent of my debtis, ather restand be me or to me, and to conferme the samen, quhilk I hold als sufficient as iff I had gevine wpe the particular debtis myselff. In witnes quhairof, writtin be Alexander Abernethie, servitour to the said James Gibsone, I have subscriuit thir presentis with my hand, at Edinburgh, the last of Merche, the zeir of God j^{m}vj^{c} and threttie sevine zeires, befoir thir witnesses, M^{r} James Kennedie, wrytter in Edinburgh, Johne Donaldsone in Arr, M^{r} Thomas Gilzeane, and Alexander Abernethie, servitouris to the said James Gibsone.

M^{r} J. Kennedy, witnes. S. J. Grant.
M^{r} Thomas Gilzeane, witnes.
Alex^{r} Abernethie, witnes.

201. Commission by George Marquis of Huntly to James Grant of Carron, to pursue and commit to ward John Due Garre and his accomplices. 9th November 1639.

Quharas the Kings most excellent Majestie hes, be commission vnder his signet, of the dait the day of last bygan, giffin warrand to me Georg Marquess of Huntlie, etc., and to such person or persones as I sall direct and send out with warrand and commission wnder my hand, to pass, followe, and persewe with fyir and suord, Jhone Due Garre and his complices, and to committ them to warde wntill they be presented till justice, as is moir fullelie conteined in the said commission: Therfor, be it knowine that I hawe substitut and appointed James Grant of Carroune as one of the persones quhom be the said commission I am warranded to send out, giffing him full powar to doe ewery thing for the execution of the said commission als fullelie as giff his name war particularlie insert therine. Giwen wndir my subscription, at Edinbrughe, the nynt day of Nowember 1639 zeires.

Huntlie.

This copie wreittine be me, J. Commine, notar publict.

202. Permission by Dame Mary Ogilvie to James Grant of Freuchie, her son, to promote the Solemn League and Covenant in the barony of Urquhart. 8th September 1640.

At Wrquhart Castell, the aucht day off September j^{m}vi^{c} fourtie zeris. The quhilk day, in presens of me, notar publict, and witnesses wndersubscryveand, comperit Deame Marie Ogilwye, lyfverentrix off the lordschip and baronie off Wrquhart, and thair exponit and declarit that scho was ewir willing, and is willing, that James Grant of Frewquhy, heretour of the forsaidis lands, suld haiff hir full power and libertie, be word and not be wreitt, as he pleissis within hir lyfverent landis, and do all thingis requisit and lawchfull for forderence of the mater off the covenant in all degreis: Wpon the quhilk premisis, the said Deame Marie Ogilwye tuik instrument in the handis of me, notar publict, day, zeir, monethe and place forsaidis, befor thir witnessis, Patrik Grant of Glenmorestone, Alexander Bailzie of Dennzeane, John Grant of Lurg, Robert and Patrik Grantis, sonis lawchfull to the said Deame Marie Ogilwye, with wtheris dyveris.

Ita est, Jacobus Lesley, notarius publicus in premissis specialiter requisitus ad hec manu mea propria asserui. M. J. L., n. p.

Patrik Grant off Glenmoristoun.
Alexander Bailzie of Dunzeane.
J. Grantt.

203. INSTRUMENT on the application to DAME MARY OGILVY to stent her liferent lands of Urquhart for sending men south. 9th September 1640.

At Wrquhart Castell, the nynt day of September j^m^vi^c fourtie zeiris. THE QUHILK day, in presens off me, notar publict, and witnessis wndersubscryveand, comperit Patrik Grant of Glenmorestone, procuratour, and in name and behalff of ane honorabill man, James Grant of Frewquhie, to the personall presens of ane honorabill lady, Deame Marie Ogilwye, lyfverentrix of the lordschip and baronie of Wrquhart, and desyrit the said lady Grant to stent the landis of Wrquhart for sending sowthe men, according to the forme that is wseit with the rest of the landis of the northe, or to give concurrance and assistance to the said James Grant, hir sone, for doing thairof, as the rest off lyfverentaris of the kingdome of Scoitland dois; or at leist to giff power or warrand in wreitt to the said James Grant or to hir awin bailzeis and officeris for stenting hir landis of Wrquhart and pepill for mantenance of thais men quhilk scho sould send sowthe: To the quhilk it was ansuarit be the said Deame Marie Ogilwye, lady Grant, that scho hes not power to giff in wreitt to the said laird of Grant, and that in respect that scho hes alredy gewin power and way to Generall Major Monro for that effect; and giff the said laird of Grant be Generall Monro his directione, or be the Taible thair directione cumis heir to Wrquhart, the said Lady Grant is content to giff the laird Grant way to do quhat he pleissis without ony contradictione: And as for hir concurance, the Lady Grant refuissis to giff it him (in respect scho is not hable,) in respect of many gryte harmes, iniureis and oppressionis that my said sone hes done to me his mother vnnaturallie: And as quhair the Laird Grant desyris hir bailzeis and officeris to stent the cunterie and wptak the stent thairof, the said Lady Grant ansuarit, giff the laird of Grant wald refus it, the Taible gewin hir power and warrand, scho suld be content to do the samyne hir selff. Wpon the quhilk premissis the procuratour forsaid and the said Deame Marie Ogilwye askit and tuik instrumentis in the handis of me, notar publict, day, zeir, monethe and place forsaidis, befor thir witnessis, John Grant of Lurg, M^r^ John Grant, servitour to the said Lard Grant, Alexander Bailze of Dunzeane.

Ita est, Jacobus Lesley, notarius publicus in premissis, specialiter requisitus ad hec, manu mea propria asserui. J. LESLEY, notarius, asserui.

Alexander Bailzie of Dunzeane, witnes. PATRIK GRANTT of Glenmorestone.
M. J. Grant, witnes. J. GRANTT of Lurg.

204. Retour of James Grant of Auchehangen, as heir of his great-grandfather, William Grant, in the half davach of Auchehangen. 2d December 1641.

Hec inquisitio facta fuit in insula ecclesie cathedralis Morauiensis, in qua curie regalitatis de Spynie teneri solent, secundo die mensis Decembris, anno Domini millesimo sexcentesimo quadragesimo primo, coram discreto viro Vilhelmo Layng, burgensi de Elgin, balliuo deputato dictæ regalitatis de Spynie, in curia fensata pro tribunali sedente, per personas subscriptas, videlicet, Vilhelmum Lesley burgensem de Elgin, Georgium Cuming burgensem ibidem, Vilhelmum Innes seniorem, burgensem ibidem, Franciscum Dunbar burgensem ibidem, Joannem Brabner ibidem, Joannem Coupland in Hauchis, Georgium Lesley in Elchies, Thomam Gordoun in Inveravin, Andream Ross in Morinsche, Jacobum Stewart in Auchirvachan, Thomam Stewart in Delraach, Robertum Stewart de Nevie, Joannem Mackean in Elgin, Alexandrum Wrquhart burgensem ibidem, et Joannem Grant portionarium de Blairfindich: Qui jurati dicunt, quod quondam Vilhelmus Grant de Auchehangen, proavus Jacobi Grant nunc de Auchehangen, latoris presentium, obiit vltimo vestitus et sasitus ad fidem et pacem supremi domini nostri Regis, in omnibus et singulis terris totius et integræ dimediæ davatæ de Auchehangen, cum suis domibus, hortis, ædificiis, toftis, croftis, partibus, pendiculis et ceteris suis pertinentiis vniuersis; vnacum multuris dictarum terrarum ac etiam decimis garbalibus et decimis vicariis, vulgo, the teyndschevis and teynd vicarage, totius et integre prefate dimediæ davatæ terrarum de Auchehangen cum pertinentiis; jacentibus in tenendria de Finlarg, dicta regalitate de Spynie, et infra vicecomitatum de Elgin et Forres: Et quod dictus Jacobus Grant est legittimus et propinquior heres dicti quondam Vilhelmi Grant sui proavi de dictis terris aliisque prescriptis: Et quod est legittimæ ætatis: Et quod dicte terre nunc valent per annum summam et quod valuerunt tantum tempore pacis: Et quod dicte terre aliaque prescripta tenentur de honorabili viro Jacobo Grant de Freuquhye, tanquam immediato superiore earundem, in libera alba firma, pro solutione annuatim vnius denarii monete regni Scotiæ, si petatur: Et quod dicte terre cum pertinentiis nunc existunt in manibus dicti Jacobi Grant de Freuquhye per mortem dicti quondam Vilhelmi Grant proavi dicti Jacobi Grant, latoris presentium, defectu heredis jus suum minime prosequentis: Quiquidem Vilhelmus Grant obiit die mensis anno Domini millesimo sexcentesimo . Data et clausa sub sigillo officii dictæ regalitatis de Spynie, et sigillis quorundam eorum qui dicte inquisitioni intererant, his presentibus breui regio intus clauso, loco, anno, die et mense quibus supra.

Ita est vt premittitur, Vilhelmus Thome, notarius publicus, ac scriba curiæ dictæ regalitatis de Spynie, manu propria asseruit.

W. Thome asseruit.

205. Obligation by Mary Grant and Dame Mary Ogilvy, her mother, to deliver to her brother, James Grant of Freuchie, a Contract made between them. 13th June 1643.

I, Marie Grant, lauchfull daughter to wmquhill Sir Johne Grant of Freuquhye, knicht, with expres consent and assent of Dame Marie Ogilvie, Ladie Grant, my mother, and I, the said Dame Marie Ogilvie, as cautioner and burdine taker for the said Marie Grant, my dauchter, be the tennour heirof faithfullie bind and obleis [ws,] our airis, successouris, executouris, and intromettouris with our rentis, to purches and obtene the tua contractis and appoyntmentis maid and endit betuix James Grant of Freuquhye, sone and air of wmquhill Sir Johne Grant of Freuquhe, knicht, on the ane pairt, and me the said Marie Grant, his lauchfull sister, with expres consent, advyse and assent of James erll of Fynlater, Lord Deskford, me the said Dame Marie Ogilvie, Thomas Fraser of Streychin, and Maister Alexander Douglas, Doctour of Medicine in Banff, curatouris to me the said Marie Grant, for thair entres, on the wther pairt, of the date heirof, alreadie subscriueit be ws, the saidis Marie Grant and Dame Marie Ogilvie, dewlie subscriueit be the saidis Thomas Fraser of Streychin and M^r^ Alexander Douglas, curatouris to me the said Marie Grant; and to deliuer ane of the saidis tua contractis subscriueit, as said is, to the said James Grant of Freuquhye betuix the date heirof and the last day of August nixtocum; and failleing of deliuerie of ane of the saidis contractis to the said James deulie subscriuit, as said is, at the tyme foirsaid, we, the saidis Marie Grant, with consent of the said Dame Marie Ogilvie, my mother, and I, the said dame Marie, as cautioner and burdine taker for the said Marie Grant, bind and obleis ws and our forsaidis to content and pay to the said James, his airis and assignayis, the sowme of twa thousand merkis wsuall Scottis money for coistis, skaith, damnage, expenssis, and interes presentlie liquidat and agrieit wpone betuix ws be thir presentis, to be sustenit and debursit be the said James and his forsaidis in cace of faillie, and that by and attour the reporting and deliuering to the said James and his forsaidis of ane of the saidis contractis deulie subscriueit, as said is: Of the quhilk cautionarie and of all danger, expenssis and inconvenient that thairwpone mey result, I the said Marie Grant faithfullie bind and obleis me and my forsaidis to warrand, fricith, relewe and skaythles keip the said dame Marie Ogilvie my cautioner and burdine taker abonenominat, and her forsaidis, at all handis: And for the mair securitie, we ar contentit and we consent that thir presentis be insert and registrat in the buikis of counsaill and sessioun, or commissaris buikis of Morray, and haif the strenth of ane decreit of the lordis of counsaill or commissar forsaid, thair auctoritie to be interponit heirto with letteris and executoriallis of horning, poynding or warding, the ane but preiudice of the wther, to pas heirvpone on ane singill charge of fyvetene dayis allanerlie; and to that effect constituteis our procuratouris; promittentes de rato etc. In witnes quhairof, we haif subscriuit thir presentis, wreattin be Johne Donaldsone, notar publick, with oure handis, at Elgin, the thrattene day of Junii the zere of God j^m^vi^c^ fourtie thrie zereis; befor

thir witnessis, Sir Alexander Sutherland of Duffus, knicht, Thomas Mackeinzie of Pluscarden, Sir Walter Innes of Balvenie, knicht, Johne Grant zounger of Balnadalloche, Johne Sutherland of Kinsterie, Mr James Kennedie and the said Johne Donaldsone, notaris, wreatter heirof.

Sr A. Sutherland, wittnesse.

W. Innes, witnes. MARIE GRANT.

T. McKenzie of Pluscarden, wittnes. MARIE OGILUY.

Johne Grant, witness.

J. Sutherland, witnes.

M. J. Kennedy, witnes.

J. Donaldsone, notar, wreatter heirof, witnes.

206. BOND OF PACIFICATION between PATRICK GRANT in Rutherie and Mr. LACHLAN GRANT, minister of Moy. 6th July 1643.

At the Kirk of Knoknyndoche, the 6 day of Julii 1643 zeiris. THE QUHILK day conveined James Grant of Freuquhye and Johne Grant of Moynes, commissionaris for the pacificatioun: For preventing of inconvenience betwix Patrik Grant in Rutherie and Mr Lachlan Grant, minister at Moy, the saidis commissionaris hes ordainit the saidis parties for thameselffis, freinds and followeris quhom they may stop or lat, to find cautioun that either of thame salbe harmless and skaithles of the wther in their bodies and meanis, landis, guids and geir, in all tyme cuming: In obedience quhairoff, the said Patrik Grant hes found Archibald Grant of Delvey cautioner and sowertie for him to the effect forsaid, wnder the pain of ane thowsand merks: And sicklyk, the said Mr Lachlan hes found John McIntoische of Doundelchack cautioner and sowertie for him to the said effect, also wnder the pain of ane thowsand merkis: And sicklyk, the said Mr Lachlan is becume cautioner and sowertie for Duncan Grant, his brother german, and the said Duncan is becume cautioner and sowertie for James Grant, his brother german, that the said Patrik Grant in Rutherie salbe harmles and skaithles of the said James and Duncan Grants in his bodie, meanis, landis, guids and geir, in all tyme cuming, wnder the paines conteinit in the actis of parliament. In witnes quhairof, all the saidis parties hes subscrywit thir presenttis (writtin be Mr John Grant, servitour to the said James Grant of Freuquhye), with their hands, day, zeir and place forsaid; befoir thir witnessis, Sir Walter Innes of Balvenie, knicht, Alexander Gordoun, appeirand of Inuermarkie, Johne Grant fiear of Ballindalloche, and the said Mr Johne Grant, wrytter forsaid.

W. Innes, wittnes. PATRIK GRANT. JOHNE MCINTOSCHIE.

Allexr Gordoun, witnes. M. LA. GRANTT. ARD GRANT.

M. J. Grant, wrytter of the premissis, witnes. J. GRANT.

D. GRANTT.

Johne Grant, witness.

207. Testament of Dame Lilias Murray, relict of John Grant of Freuchie. 30th December 1643.

The testament testamentar, letter will, and legacie of me, Dame Lilias Morray, relict of wmquhill Johne Grant of Frewquhy, maid and given wp be my awine mouth, at Ballachastell, the penult day of December, the zeir of God j^{m}vj^{c} fourtie thrie zeires, befoir the witnessis efterspecifeit.

In the first, I, the said Dame Lilias Morray, being seik in bodie bot haill in mynd and perfyit in memorie (blissed be God), knawing nathing moir certaine then death, and nothing moir wncertaine than the tyme and hour thairof, I leave my soull to the great God Almightie, maker of heawin and earth, and ordaines my bodie to be buried in the yland of the kirk of Duthell, besyid my said wmquhill husband in the buriall place apperteining to [the hous of] Grant, in hoip of my resurrectioun to lyiff eternall. Item, I leave, nominat, constitut and ordaine James Grant of Frewquhy, my oy, my executour, donatour, and . . . haill and vniversall intromettour with my rentis, guides and gear, to [his awine] vse, behuiff, vtilitie and profeitt; with power to him to vse and dispone thairwpoun as his awine proper guides and gear, he payand my debtis, and the soume of ane hundreth pundis money of this realme, to Dame Lilias Grant, spouse to Sir Walter Innes of Balvenie, my lawfull daughter. In witnes of the whilk thing, I haif subscrywit thir presentis with my hand, day, moneth, zeir of God, and place abonewreattin (wreattin be Johne Donaldsone, notar publick), befoir thir witnessis, Johne Grant, sumetyme of Dandeleith, M^{r} Johne Grant, servitour to the said James Grant of Frewquhy, and the said Johne Donaldsone, wreatter heirof.

Jo. Grant, witnes, present. Lilis Muray.

M. J. Grant, witnes.

Jo. Donaldsone, wreatter and witnes.

208. Commission by James Earl of Murray, appointing his brother-in-law, James Grant of Freuchie, a lieutenant-colonel in his regiment. 1st April 1644.

Wee, James Earle of Morray, Lord Downe and Aberneathie, etc., colonell of the Morray regiment both of horses and foote companies, to haif maid, constitute and ordaineit, lyikas wee be thir presentis mak, constitut, and ordaine the right honorable James Grant of Freuquhy, our brother in law, our leivetenent colonell of and in our said regiment; and giwes and grantis to him the office and place of our leivetenendrie in our said regiment, with all honoures, dignities, priviledgis, immunities, fies, casualities, profeittis, and all wtheris thingis quhatsumewir apperteining and belanging, or that is knowin to apperteine and belang, to the said office and place; with full power, licence, and libertie to the said James Grant

of Freuquhy, our said leivetenent colonell, to nominat, elect, choys, mak, constitut, ordaine, remove, imputt and outputt officiaris and commanderis wnder ws and him, as he shall think meitt and expedient, for quhom he salbe haldin to ansuer and ansuerable to ws: And generallie, all and sindrie wtheris thingis to doe, vse and exerce that to the said office or place apperteineth and belongeth, or doeth apperteine and belong, or that anie wther leivetenent colonell in the Scottish armie does or mey doe. In witnes of the quhilk thing (wreattin be Johne Donaldsone, servitor to the said James Grant of Frewquhy), we haif subscryweit thir presentis with our hand, [and] our seall is heirto affixt, att Frewquhy, the first day of Aprill, the zeir of God j^{m}vj^{c} fourtie four zeires, and of the reigne of the right heich, right excellent and mightie prince, our Soveraigne Lord, Charles be the grace of God King of Great Britaine, France and Irland, defender of the faith, etc., the tuentie zeir; befoir thir witnessis, Johne Grant of Belnadalloch, Harie Home of Argatie, Johne Ros of Braidley, Mr. David Stewart of Newtoun, and Adam Zoung, our servitouris, and the said Johne Donaldsone, wreitter heirof.

Jhone Rose, witnes. Johne Grant, witness.
M. Dauid Stewart, witnes. Harie Home, witnes. J. MURRAY.
Jo. Donaldsone, witnes. A. Zounge, witnes.

209. ASSURANCE OF INDEMNITY by JAMES MARQUIS OF MONTROSE to the LAIRD OF GRANT and others. 3d March 1645.

WHERAS the Laird of Grant and the gentlemen and heretors of the name of Grant do pretend that they have resaved great prejudice and skaith throgh the armies marching throgh ther bounds: Thess ar therfor to certifie and assure them that efter they shall clearlie instruct and qualifie ther saids losses, they shall have repetitione and repeyment therof furth of the first and readiest of his Majesties rents or other casualities within the kingdome of Scotland at ane convenient occasione heirefter; provyding alwayes that they continow ther fidelitie and loyaltie in his Majesties service. Subscryvit at Garmoch, the third day of March 1645. MONTROSE.

210. ASSURANCE OF INDEMNITY by JAMES MARQUIS OF MONTROSE to JAMES GRANT of Freuchie. 3d March 1645.

WHERAS James Grant of Freuqhy hath declaired his faithfulnes and loyaltie to his Majesties service by his oath and subscriptione, and by joyning himself and his freinds therwnto: Thess ar therfor to certifie and assure him that what lands he shall instruct to have justlie apertened to him or his predecessors and ar now possessed by enemies, he shall have the same disponed and confirmed to him and his airis by his Majestie wnder his seall and subscriptione at ane convenient occasione heirefter; provyding alwayes that the said James Grant of Freuqhy continow his faithfulnes and constancie in his Majesties service. Subscryvit at Garmoch, the third day of March 1645 yeirs. MONTROSE.

211. Commission by James Marquis of Montrose to the Laird of Grant. 11th April 1645.

Commissione—James Marquis of Montrose, his Majesties Liuetennent Generall of the Kingdome of Scotland, to the Laird of Grant.

We, by pouer and authoritie grantit by his Majestie to ws, doe by thess presents give warrand and commissione to the Laird of Grant to requyr and raise with him all his Majesties faithfull and loyall subjects in the bounds about him, who ar not requyred by ws to come furth at this tym and joyn with ws in his Majesties service, or not employed by ws in the said service; with pouer to him to joyne them with his oune forces for advancing of his Majesties service, and suppressing of the enemie; and siklyk, with pouer to the said Laird of Grant to wse fyr and suord and all kynd of hostilitie against all enemies and disaffected persons to his Majesties service; wheranent thess presents shall be to him ane sufficient warrand. Givin at our camp in Glenmuick, the ellevint day of Apryll 1645.

Montrose.

212. Bond of Combination between the Laird of Grant, his friends, and the men of Badenoch, Rothiemurchus, Strathawine, and Glenlivat. 30th March 1645.

We wndir subscryweris, in respect of the eminent dangeris vhiche is lyk to ensue wnto ws be the crueltie of theis our enemeis now joned against his Majestie, our dread Sowerane, haw, be the tenour heiroff, solemlie wowed and suorne, lyk as be the tenour heirof, solemlie wowes and suearis, as we mone ansuer to the great God at the day of judgment, quhen the secreittis of all hairtis salbe discloisit, that we all and eweri ilk ane of ws, with our assistaris, forces, freindis and followeris, as hawing burding for them, sall ryise in armes wpon suche adwertisment as may or can possiblie be send from ather of ws to wtheris wpon anye occasione that sall happine to ather of ws, offensiwe or defensiwe, against our enemies; and alse, that quhatewer injurie or harme salbe done hinc inde to ane of ws, salbe reput and holdin be ws all wndirsubscryweris as done to ws all and our forsaidis: And lykwayis that we sall extend our selfis and our forsaidis for reparatioune therof with the haisaird of our lywes and estaitis, according to our powaris wnder the paine of perjurie, defamatioune, tinsell of credit and honour, and newer to be holdin famous therafter, bot to be estemed as enemie to the keiperis of this combinatioune; as also that we all eweri ane of ws sall stand in armes at ane head at quhatewer tyme we happin to be conwenit, aie and quhill they be disbandit be commone consent of ws wndersubscryweris wnder the paine above mentioned. In witnes quherof, we haw subscrywit thir presenttis, at Muckrache, the penult day of Merche j^{m}vi^{c} fourtie and fyw zeires. Wrcittin be Ferquherd Cuming, notar publict.

James Grant of Freuquhye; M^cPhersone of Clynie; Angous M^cIntoschie in Gask; Lachlane M^cIntosche, brother to William M^cIntosche of Strone; Allan Shawe.

Ar^d Grant of Delvey; J. Grant of Carroun; William Grant of Kardellis; L. Grant of Clurie; Allex^r Gordoune; James Grant of Delnabo; James Grant of Auchterblair; Patrik Grant of Tvlachgorm; Johne Grant of Delrachnie; Jhone Schaw of Dell.

J. Grant, Lurg; Alane Grant of Mullachard; Johne Lausone in Clasdounane; James Grant in Dallawor; M. J. Grant; J. Akin of Fid. [?]; Jo^n Innes in Tombreackachie; Alex^r Grant of Allochie; William Grant of Achleyen.

Donald M^cPhersone of Nuid; R^t Lausone; James M^cPherson of Ardbrytach; Patrik Grant of Advie; Johne Grant in Fonet; D. Grantt of Curr; Johne Hay; Thomas Stewart of Dribyne; Do^m Gordoun of Mammoir; Jhone Stewart in Delmoir; Alex^r Gordone in Tombea; Arthur Stewart apeirend of Newie; Robert Stewart in Lagane; Williame M^cPhersoune in Beandagar; James M^cPhersone, Dellradie; W^m M^cPhersone in Dalradie; M^r J. Grantt in Ruddei; Lachlan M^cPherson in Dalradie; Lauchlane M^cKintosche in Pitturie; James Mackpherson in Miltoune; Alex^r Lesly in Kirtynnoir; R^t Grant of Elches; Patrik Grant; W^r Lesly in Tullich; Johne Grant of Blairfindie; Patrik Grant; James Grant, Inverri; Jhone Grant of Accolyduich; W^m Grantt off Auchnarrow; Swoyne Grant of Garthinbeg; James Grant of Lynnichurne; Thomas Grant in Lethindie; Jo. Grant in Cragane; Alex^r Grant, Lettochir; Patrik Grant in Bombrak.

James M^cIntosche, fear of Strone; Angus M^cPherson of Inwereschey; Allex^r M^cPhersone of Pitcherine; Hugo M^cPhersone in Breackachie; Donald M^cPhersone, his brother; Malcolme M^cIntosche, Bellinespick; Sorlle M^cPhersone in Essintullich; W^m Schaw in Delnadit; Ferquherd Schaw in Inwerrie; Donald Schaw, his brother; James M^cPhersone in Inwermarkie; Thomas M^cPhersone, his brother; Malcolme M^cPhersone of Phonas; Jhone M^cJames Dui of Inwernahawin; Jhone M^cPhersone of Crathie; Donald M^cPherson in Stramasie; Donald M^cPherson in Tiersodon; Jhone M^cPhersone in Pitindine; W^m M^cAngus W^cInla in Bellide; with our handis at the pen led be the notar wndirwreittin at our command, becaus we could not wreit our selfis. Ita est, Ferquherdus Cuming, notarius publicus, de mandatis predictarum personarum nescientium scribere, ad hec rogatus, teste signo et subscriptione manuali mea. F. Cvmmine, notar and wreitter. Ita est, Dauid Cumming, connotarius publicus in premissis specialiter requisitus de mandatis dictarum personarum scribere nescientium, teste manu propria subscripsit.

Dorso: Band of Combinatioune betuix the laird of Grant his frendis, Badenoche men, Rothemurchose, Straithawine and Glenliwat, 1645.

213. Obligation by Duncan Grant in Wester Elchies, to give satisfaction to the Right Honourable James Grant of Freuchie, his chief, at the sight of the Marquis of Huntly. 16th July 1646.

Be it kend till all men be thir present letteris, me, Duncan Grant in Weaster Elcheis, forsameikill as the richt honorabill James Grant of Fruquhye, my cheiff, alleadges that I hawe done sume wrongs and ouerseine my selff in my behawiour to him, sundrie wayes and at diwers tymes, therfore, wit ze me the said Duncan Grant to be bund and obleist, lykas be thir presenttis I bind and obleis my selff to submit myselff to the censure of ane mightie and potent lord, George Marques of Huntlie lord Gordoun, etc., and Lord Lues Gordoun, his sone, and binds and obleisis me to make suche satisfactioun to the said James Grant for my ouersights as the saidis George Marques of Huntlie and Lord Lues Gordoun shall ordeine me to doe, and that wnder the pain of fywe hundrethe merks usuall Scottis money, by and attour the obtempering of their decreit: And for the mair securitie, I am content thir presenttis be insert and registrat in the buikis of cunsall and sessioun, or commissaris buikis of Murray that executioun of horneing and poynding may pas heirvpoun on ane single charge of fyftein dayes allanerlie; and to that effect I make and constitut conjunctlie and sewerallie, my laufull procuratouris, in vberiori constitutionis forma; promittentes de rato, etc. In witnes quhairof I haue subscriuit thir presenttis (writtin be Mr John Grant, serwitour to the said James Grant) with my hand, at Bellachastell, the saxtein day of Julii jmvic and fourtie six zeiris, befoir thir witnessis, Arthure Forbes of Blaktowne, Mr Allexander Grant, serwitor to the said James Grant off Freuquhy, and Jhone Packman, serwitor also to the said James Grant of Freuquhie.

Arthour Forbes, wittnes.
M. Alexr Grant, wittnes.
Jhon Packman, witnes.

D. Grantt.

214. Bond by Donald Moir McGilwrae to James Grant of Freuchie. 11th September 1646.

Be it kend till all men be thir presenttis, me, Donald Moir McGilwracy, naturall sonne to Farqhar McGilwrey of Dunichuglais, to hawe grantit and confessit, lykas be thir presentts I grant and confess, that I was accessorie, and ane of the actors of the spoilzieing and away taiking, wnder silence of nicht, out of the lands and glennes off Knockandoche, in the monethe off jmvjc and fourti fywe yeirs, from Patrik Dollas tennent thair, Alister McConill Weik and William his sonne, tennentis thair, and others certan tennentis nixt adjacent, perteining to the laird of Grant, ane certan great number off horssis, kowis and oxin, extending to the sowme off money: Therfor, witt ye me to be bound and obleisit, lykas be

thir presentts I bind and obleis me, my aires, executouris and assignayes quhatsumewir, to content, pay and delywer to the richt honorabill James Grant of Freuquhie or his aires, executouris and assignayes, in the towne off Dutholl, the sowm of ane thowsand merkis money of this realme, at the feast and terme of Meartimais j^{m}vj^{c} fourtie and sewin yeiris, withe the sowm of tuo hunderethe libs. in cais of failzie of thankfull payment of als muche of the said sowme as the said Donald sall be found abill and qualified to be powarfull to pay yeirlie, wntill the said sowm of ane thowsand merkis be compleitlie payit: And for the mair securitie, I am content and consents that thir presenttis be insert [and] registrat in the bookis off Counsell and Sessione, schirreffe or commissar buiks of Inwernes or Murray; with executoriallis of horning or poynding to pass heirwpone, on ane simpill charge of fyftein dayes allennarlie, and to that effect constitutes my procuratouris; promittentes de rato. In witness quhairof I hawe subscrywit thir presenttis, writtin be M^{r} Alexander Grant, serwitor to the laird of Grant, and subscrywit be me at Bellachastell, the ellewint day of September j^{m}vj^{c} fourti sax yeiris; befor thir witnessis, Mr. Lauchlan Grant, minister at Moy, William Falconer, serwitor to the laird of Grant, and me the said M^{r} Allexander Grant, wreitter heirof.

M^{r} La. Grantt, witnes. D. M^{c}GILLIURAY.
Will. Falconer, wittnes.
M^{r} All^{r} Grant, wreitter and witnes.

215. OBLIGATION by ALEXANDER MACGREGOR to JAMES GRANT of Freuchie.
9th December 1647.

BE IT KEND till all men be thir presenttis letteris, me, Alexander MakGrigor, that forsameikill as the right honorabill James Grant of Freuquhye, out off his owin pleasour and goodwill to me, is most willing and content to warr and bestowe the sowm off three or four scor of pundis and less or mor as he pleasethe to be giwin to the Generall Major Middiltownes trumpiter for my educatioune and learing in sounding and playing wpon ane trumpet: Therefor, wit ye me to be bound and obleist, lykas be thir presenttis I bind and obleiss me be the faithe and trewthe of my bodie, and wnder the paine of perjurie and infamie, to enter my selff into the said James Grant his serwice, immediatly after my ending and departur from the said trumpiter, my learne master; and from that tym to remain withe him in his serwice during the wholl space, dayes and yeiris off fywe yeiris nixt and immediatly following my entrie in the said James Grant his serwice; and to serwe him faithfullie and trulie during the said space and yeiris of fywe yeiris, as said is: As also obleisses me, wnder the pain forsaid, at the expyring and ishewe of the said fywe yeiris serwice, to redelywer and pay to the said James Grant or his quhatsomewer sowmes of money he bestowes and warres wpon me for my learing, as said is: And in cais I be not able to repay the sam to him,

then and in that cais, to serwe the said James ay and quhill he be payit and satisfied to his owin contentment off all the money he shall bestowe to the effect forsaid: And if it sall happine me to failzie in the premissis, to submit my self in the said James Grant his will and amerciament, to be censured be him at his owin will and pleasour, as otheris in the lyk caisses ar punished: And for the mair securitie I am content and consentis thir presenttis to be insert and registrat in the bookis of Counsall and Sessione, shireff or comisar buikis of Inuernes or Murray, and to haue the streanthe off ane decreit off the lordis theirof interponit theirto, withe executoriallis of horning to pass theirwpon on an simpill charge off fyfteine dayes, allenerly; and to that effect constituts my procuratouris; promittentes de rato. In witnes quherof I haw subscrywit thir presenttis (wreittin be Mr. Allexander Grant, serwitor to the said James Grant) withe my hand, at Freuquhye, the nynt day off December, yeir of God j^{m}vj^{c} fourti sewin yeiris; befor thir witnesses, William Fallconer, Duncan Grant, William Cleirk, and Mr. Allexander Grant, wreitter of the premissis, serwitoris to the said James and Robert Farqhar, notar publict, and John Patersone, seruitour also to the laird of Grant.

Will. Falconer, wittnes.
Johen Paterson, witnes.
W^{m} Clark, witnes.
Duncane Grant.

Allexander Grigor with my hand.

Ro. Farquhar, witnes.
M^{r} All^{r} Grant, witnes and wreiter of the premissis.

216. Remonstrance by James Grant of Freuchie to the Estates anent Captain Dugald Campbell. 5th January 1649.

Forasmuch as the shyre of Murray hes proportioned me and my freinds to more as any gentlemen of the kingdome, or of the said shyre, yet notwithstanding, I and my freinds are willing to vndergoe what they haue laid vpon vs, and for euery man wee are content to pay foure score markes, which I think is most reasonable; and I hope the Esteates of the kingdome will think no lesse: And in testimony of my affection and forwardnesse to the present expedition, I haue made reall offer of the sum abone specified for euerie man, which is absolutlie refused be Captain Dugall Cambell haueing power to receiue the same, and I haue takin witneses heirvpon of this refusall and this my offer; and I haue desired him to remoue his men, vntill the Esteatis take it to their consideratione: And what more shall be their pleasure heirin, I shall most willinglie obay, seing their judecatur is most just; and. I hope, will think what I haue offered is most reasonable, seeing I was neuer deficient in what did conscerne the publick, neither euer shall be, God willing: The which premisses I haue subscribed with my hand, at Freuquhy, the 6 of this instant Januarii 1649.

James Grant of Freuquhye.

217. Obligation by Captain Dougal Campbell to remove with his party from the lands in Knockando, belonging to the Laird of Grant. 6th January 1649.

I, Capitan Dugall Cambell, be the parroll and faithfull promeis of ane gentilman and sowldier off my qualitie, promeis and obleis me to remowe (withe the pairtie nowe lying in Knockandoche on the laird off Grant his free lands,) from the saids lands and all wtheris his landis belonging to hime, and that once in the day, tomorrowe being Sunday, the sewint day of this instant: As lykwayes I faithfullie promeis that his lands and bownds and the possessoris of the sam shall be hairmles and skaithles in their persons, meins, and goods and geir, be me and the pairtie commandit wnder me for the present: As also to refound, content, and pay quhat prejudice the bownds of Knockandoche (quhair we war lying) hes sustained be ws, except in taiking our mantenance discreitlie, in as easie a way as we cowld doe: And forder, I promes that the laird off Grant his saids lands and tennentrie shall incurr no harm, wrong, or prejudice at our remoweall from the sam, and that be thir presentis subscriuit withe my hand, at Frewquhye, the 6 day of January 1649 yeirs.

Capt. Du. Campbell.

218. Bond of Service by James Grant of Auchernick to James Grant of Freuchie. 26th April 1655.

Be it kend to all men be thir presentis, me, James Grant of Auchernick, forsameikle as the rycht honorable James Grant of Freuquhye, hes by contract of alienatioun, of the dait of thir presentis, disponeit to me in liverent and to my sone Johne Grant in fie, our aireis and assignays therein specifeit, all and haill the toun and landis of Auchernick, teyndis, salmond fisheing, onlie with standing nets, and remanent wniversall pertinents of the samen: Togidder with the corne mylnes of Abernathie, crofts, multures and pertinents thereof, and redemabill be the said James, his aireis, successoris and assignays wpon the payment of the sowme and wthers conditiounes specifeit therin, as the said contract of the dait of thir presents at mair lenth beareis: Therefore wit ye me, the said James Grant of Auchernick, to be bound and obleist, lykeas I obleis me, my aireis and successouris to me in the saidis landis, to give to the said James Grant of Freuquhye, his aireis, successouris, and assignays, our bodilie service dureing our possessioun and bruiking of the saidis landis, as the other gentlemen wedsettarres of the countrey of Strathspey does or sall doe, being requyreit by him and his foresaidis for that effect; and for the mair securitie, I am content and I consent that thir presentis be insert and registrat in the court buikis of hie justice or shereff court buik of Morray or Narne, and have the strenth of ane decreit of ather of the saidis judges, ather of thair auctoriteis to be interponeit heirto, that letteris and executoriallis of horning, poynding and warding, the ane but prejudice of the wther, mey pass heirvpon on ane single charge of

fyiftein dayes allenarlie, and therfoir constitutes conjunctlie and severallie, my laufull procuratoures; promittentes de rato, etc. In witnes whereof, I haue subscriuit thir presentis wreatten be me, Robert Donaldsone in Ar, with my hand, at Ballachastle, the twentie sext day of Aprill ane thousand sex hundreth and fyiftie fyve yeireis; befoir thir witnesses, Patrik Grant, laufull brother to the said James Grant, Mr John Grant in Dellichappell, Andrew Gilzean, servitour to the said James Grant, and the said Mr. Robert Donaldsone.

P. Grantt, witnes.

M. J. Grant, witnes. JAMES GRANT.

And. Gilzean, witnes.

Mr Ro. Donaldsone, wreatter and witnes.

219. PERMISSION by GENERAL MONCK to JAMES GRANT of Grant and his tenants to keep their arms. 10th February 1657-8.

WHERAS James laird of Grant hath entred into seuerall bonds of considerable sumes for the peaceable behaviour of himself and tenants, and for their armes, you are therfore to permitt him and his tenants to keepe their armes for their defence vntill further order, they doing nothing prejudiciall to his Highnesse and the commonwealth: You are alsoe to permitt him to keepe six horses and his breeding mares above the value. Given vnder my hand and seale, att Edinburgh, the 10th day of February 1657/8. GEORGE MONCK.

To all officers and souldiers and vthers whome these may concerne.

220. COMMISSION by KING CHARLES THE SECOND to SIR ROBERT INNES and others, to try ISOBEL MONRO and MARY BURGES for witchcraft. 3d October 1661.

CHARLES be the grace of God King of Great Britan, France and Ireland, defender of the faith, to all and sundry our leiges and subjects whom it effeirs, to whose knowledge thir our letters shall come, greitting: Foralsmuch as Issobell Monro and Mary Burges, vagabonds, somtymes hanting within the bounds of Strathspay and Murrayland have confest themselves to be guilty of the abominable sin of witchcraft, as their depositions vnder the hands of diverse famous witnesses beares: Therefore we, with advyce and consent of the lords of our Privy Councill, have given and granted, and by these presents gives and grants our full power, authority and commission, expresse bidding and charge, to our lovitts, Sir Robert Innes of that ilk, Patrik Dumbar of Balnathery, Sir Alexander Innes of Coxtoun, Sir Robert Innes of Muretoun, John Grant of Moines, William McIntosh of Kylaclue, William Grant of Kirkdales, and James Grant of Aucharnie, or any fyve of them, to meitt at such tymes and places as they shall think most fitt, and there to affix and hold courts, to call sutes, amerciat absents, and vplift vnlawes and amerciaments, to creat clerks, serjands, dempsteris,

and all other officers and members of court neidfull; and in the saids courts to call the forenamit persons and to putt them to their tryall and to the knowledge of ane assyse, and if they shall be found guilty to cause justice be administrat vpon and against them conform to the lawes of the kingdom; and to doe all other things which to the execution of this commission be the law and consuetud of the kingdom doeth appertain: With power also to the saids commissioners to secure such vthers as are or shall be delate guilty, and to examine them, and to vse all fair meanes for thair tryall and bringing them to the confession of their sinns. Given vnder our signett, att Edinburgh, the thrid day of October, and of our reign the threttenth yeir, 1661.

GLENCAIRNE, cancellarius.

ROTHES.	ROXBURGHE.
MORTON.	KELLIE.
EGLINTOUN.	HADINTON.
LINLITHGOW.	S. J. LOCKHART.

Dorso: Edinburghe, the thrid of October 1661. This within writtin commissione is registrate by me, Sir Peter Wedderburne of Gosfurd, knicht, clerk of his Majesties Secreet Councill. PET. WEDDERBURNE.

221. BOND by DONALD DOW M^cEWEN VIC MARTIN of Ratullichebeg, and his heir-apparent, to Lieutenant-Colonel PATRICK GRANT, Tutor of Grant, anent certain prisoners. 19th July 1667.

BE IT KEND till all men be thir present letteris, ws, Donald Dow M^cEwen vic Martin of Ratullichebeg and Angus M^cEanRoy vic Conil vic Martin appeirand of Ratullichevoir, forsameikill as Leivtenent-Collonel Patrik Grant, tutor of Grant, hes at our earnest desyr and intreatie released and sett at libertie Johne M^cEan vic Conil vic Martin, Soirl M^cConil vic Ewen vic Martin and Donald Dow M^cInnes vic Glashan, quhom he had prisoners within the house of Ballachastell: Therfore wit ze ws, the saidis Donald Dow M^cEwen vic Martin and Angus M^cEan Roy vic Conil vic Martin, to be bound and obleisht, lykas be the tenour heirof we faithfullie bind and obleis ws conjunctlye and severallie, our airis, executouris, assignayis intromettouris with our landis, renttis, guids and geir, and successouris quhatsumewer, to exhibit and present the foirnamed persones within the house of Ballachastell, quhen the said Leivtenent-Collonel Patrik Grant sall desyr ws, wpoun ane monetheis advertisment: And in caise the said Leivtenent-Collonell Patrik Grant sal be sought and persewit be anie persone or persones quhatsumewer before anie judge competent, and therthorow sall sustain and incurr anie prejudice, losse, damnadge or detriment, and be put to paines and expenssis for dismissing of the saidis persones, then and in [that] caice we bind and obleis ws and our forsaids to refound, restoir, repay and delyver to the said Leivtenent-Collonel Patrik Grant, his airis, executouris or assignayis, the said prejudice, losse or expenssis he sall sustain for

dismissing of the persones abonewrittin: As also we, the saids Donald Dow M^{c}Ewen vic Martin and Angus M^{c}Ean Roy vic Conil vic Martin, be the tenour heirof, faithfullie bind and obleis ws and our forsaids, as said is, to mak payment and satisfactioun to the said Leivtenent-Collonel Patrik Grant and to the laird of Grant, his men, tenents and servaundis of quhat prejudice and losse the persones abonewrittin hawe committed to the laird of Grant, his kinsemen, men, tenents and servaundis; at least of quhat prejudice and losse sal be famouslye and cleirlye prowen befoir the said Leivtenent-Collonel Patrik Grant or the laird of Grant, that the persones abone writtin hawe done or hes bein airt or part in doing either be stealthe, robberie or ressait or anie wther maner of way, we being requyred and advertised tuantie dayes before for keiping of the day and dyet that sal be appoyntit for the forsaid probatioun: Lykwayes we the saids Donald Dow M^{c}Ewen vic Martin and Angus M^{c}Ean Roy vic Conil vic Martin, binds and obleissis ws and our forsaids to mak payment and satisfactioun to the said Leivtenent-Collonel Patrik Grant and to the Laird of Grant, his kinsmen, men, tenents and serwaundis, of quhat prejudice and losse, detriment or robberie, salbe committed and done be the persones abone writtin in tyme cuming, or that they salbe found airt or pairt of or resaitteris: And in caice we, the saidis Donald Dow M^{c}Ewen vic Martin and Angus M^{c}Ean Roy vic Conil vic Martin, and our forsaids, sall fail in performeing of anie poynt of the premissis abone writtin, then and in that caice we bind and obleis ws and our forsaids, as said is, to content and pay to the said Leivtenent-Collonel Patrik Grant and his forsaidis the sowme of ane thowsand libs. wsuall Scottis monie, and that by and attour the performeing of the haill poynts abone writtin; consenting thir presentis be insert and registrat in the buikis of Cunsall and Sessioun or anie otheris ordinar within this kyngdome, and hawe the strenth of either of their auctorities to be interponit heirto, that letters and executoriallis may pas heirvpoun on ane single charge of fyftein dayes allanerlye: And to that effect we make and constitut conjunctlye and severallie, our lauchfull procuratouris, in vberiori constitutionis forma; promittentes de rato etc. In witnes quheroff we hawe subscriuit thir presenttis (writtin be M^{r} Johne Grant, notar publict,) with our hands as followis, at Ballachastell and the nynteinth and of Julii j^{m}vi^{c} and sextie sewin zeiris; befoir thir witnessis, Swoyne Grant of Gartinbeg, Donald Grant of Dellichapple, Johne Grigor in Kyllintra.

Swoyne Grant, witnes. DONALD CAMROUNE.

Donald Grant, witnes.

Johne Gregori, wittnes.

Angus M^{c}Ean Roy vic Conil vic Martin with my hand at the pen, lead be the notar wndersubscryvand at my command, because I cannot wryt myselff.

Ita est, magister Joannes Grant, notarius publicus, in præmissis requisitus, de mandatis dicti Angusii M^{c}Ean Roy vic Conil vic Martin, scribere nescientis, vt asseruit, testantibus his meis signo et subscriptione manualibus. M^{R} J. GRANT, notarius publicus.

222. Bond of Amity between Patrick Grant of Tullochgorm, Suetony Grant of Gartinbeg, and others. 18th March 1669.

Wee, Patrick Grant of Tullochgorme and Patrick Grant of Miltoun, on the ane pairt, taking burden upon us for the familie of Tullochgorme and all persones descended therfra linea consanguinitatis, and Suetony Grant of Gartinbeg, Duncan Grant his son, Donald Grant of Kinveachy, and Alexander Grant of Delrachnie, taking burden upon us for the familie of Gartinbeg and all persones descended therfra in manner forsaid, considering that be the law of God, natur and nationes, be the civill law and practice of this kingdome, ther is nothing more allowed, commended and preferable to vnitie, vnion, amitie and concord, as also, that both the saids families have ther descent ab eodem stipite, and being most unanimously willing to reunit them againe, quia vis vnita fortior, et concordia res parvæ crescunt: Theirfor, both the saids pairties, taking burden upon them for ther families in manner forsaid, with on consent and assent, vnanymously and mutually condescend that all respects, old kyndnes and relation betuixt both the saids families be reiterat, renewed, corroborat and prosecute, in more livly, ample, amiable and effectuall manner then ever it was heretofor observed, and that the saids families be vnit, vnitate affectionis, in the infringible bonds of affectioun and sempiternall kyndnes, as also behave lyk brethren in all causes quhatsomever: And to the end both families may be habituat and brought in custome of this vnity, it is mutually condescended that at all mercats, trysts and meetings, all persones of both families happening to be present shall meet, conveen and convocat in on body together, in perpetuall memorandum of and to testifie this ther unitie to all beholders quhatsomever: Lykas, for the better incouragment of all persones interessed to keep this vnity, it is mutually condescended that all debates, controversies, questiones, clages, clames and actiones quhatsomever, whither civill or criminall, happening to arryse betuixt any two or moe persones of the saids families being be submission referred to the decision and arbitratioun of us who take burden as said is, in that case, wee bind and oblies us, coniunctlie and severallie, our aires and successors, to tryst, meet, convein, decyd the controversie, and give our decrete arbitrall theranent, of purpose this unity may be keeped, and superfluous expenssis of pairties preveined. In lyk manner, for perpetuall corroboration of this unity, if any person or persons of the saids families be unjustly persewed at the instance of any stranger, civillie or criminally, or if any person of this unity persew his just intrest against any stranger quhatsomever, whither civilly or criminallie, in that case it is mutually condescended that all persones comprehended within this vnitie shall assist, maintein, and defend the pairtie persewar or defender in manner forsaid, be all their meanes and moyen: Lykwayes, if any person or persones of our saidis families, being persewar or defender in manner forsaid, happen to be so poor that he cannot allow expenssis wpon his just action, and for want therof be lyk to incurr prejudice, in that

case it is mutually condescended a generall collection be made among ourselves for his relief, and imposed upon every person comprehended within this vnity proportionally and conform to their severall conditiounes: Morover, if any person of both families prove refractorie in any or ather of the saids articles, it is mutuallie condescended the said person be excluded out of our fellowship, accounted as lost, sicut fucus inter apes aut vlula inter aves; and this present vnity nowayes to be extended to him. It is also hereby declared that this present vnity shall noways inferr an bond of manhood, manrent or mantenance, as contradictorie to the lawdable lawes of this kingdom, but only amitie, fellowship and concord allowed and authorised be God and man. In verification, memorandum, corroboration, testimony and witnes of this vnity, wee have most cordially subscriuit thir presents, writtin be M^r James Grant, wryter in Edinburgh, at Duthell, the eightent day of March j^mvi^c sextie nyne yeires; befor thir witnessis, John Grant of Lethintie, and the said M^r James Grant. 1669.

M^r J. Grant, wryter, witnes. SWOYNE GRANT. PATRICK GRANT.
Jo. Grantt, wittnes. AL^XR GRANT. DO. GRANT.
PA^TT GRANT.

223. TESTIFICATE by SIR CHARLES ERSKINE of Cambo, Lyon King of Arms, of the Coat Armour of LUDOVICK GRANT of that Ilk. 15th September 1673.

TO ALL AND SUNDRIE whom it effeers, I, Sir Charles Araskine of Cambo, knight baronet, Lyon King of Armes, considering that be the tuentie one act of the third session of the second Parliament of our dread Soveraigne Lord, Charles the Second be the grace of God King of Scotland, England, France and Ireland, Defender of the Faith, I am impowered to visit the wholl armes of noblemen, prelats, barons and gentlemen within this kingdome, and to distinguish them with congruent differences, and to matriculat the same in my books and registers, and to give armes to vertuous and veell deserveing persones, and extracts of all armes, expressing the blazoning of the armes, vnder my hand and seall of office, which register is therby ordained to be respected as the true and unrepealable rule of all armes and bearings in Scotland, to remaine with the Lyon's office as a publict register of the kingdome; therefore, conforme to the tenor of the said act of Parliament, I testifie and make knowen that the coat armour appertaining and belonging to Lodovick Grant of Freuchie or of that ilk, and approven of and confirmed be me to him, is matriculat in my said publict register vpon the day and dait of thir presents, and is thus blazoned, viz., the said Lodovick Grant of Freuchie for his achievement and ensigne armoriall bears gules, three antique crownes, Or: Above the sheild ane helmet befitting his degree, mantled gules doubled argent; next on ane torse, for his crest a burning hill supported be two savadges or naked men, proper; the motto in ane escroll, Stand Fast. Which coat above blazoned, I declare to be the said Lodovick Grant his coat and bearing. In testimonie whereof, I have subscryved this

extract with my hand, and have caused append my seall of office therto. Given at Edinburgh, the fyfteint day of September, and of our said Soveraigne Lord's reigne the tuentie fyft year, 1673. CH. ARASKINE, Lyon.

224. REMISSION and DISCHARGE by KING JAMES THE SEVENTH to LUDOVICK GRANT of Grant, of his fine of £42,500 Scots. 9th January 1685. [Copy.]

JAMES R.

RIGHT TRUSTY and entirely beloved cousin and councellor, and right trusty and welbeloved cousin and councellor, wee greet you well. Having, by our letter of the date of these presents, directed to our Privy Councell of that our ancient kingdome, been graciously pleased to discharge the fine of forty two thousand and five hundred pounds Scots money which, upon the 11th day of February last past, was by the Commissioners of our said Councell and Justiciary (then sitting at Elgine) imposed upon the Laird of Grant, in manner fully contained in their sentence for that effect; wee haue now thought fit to give you notice thereof, to the end you may take care that he be not pursued, molested, or troubled hereafter for the said fine or penalty mentioned in the said sentence, or any part thereof, but that he be (as wee doe now declare him) fully liberated and discharged of the same in all time coming, in the same manner as if the said fine had never been imposed, nor the said sentence pronounced against him: And it is our further pleasure that these presents be recorded in your books, and that authentick extracts thereof be given to him, or others in his name, as he or they shall haue occasion to desire the same, for rendering this act of our royall favour and bounty effectuall unto him: For doing whereof this shall be your warrant. And so wee bid you heartily farewell. Given at our Court at Whitehall, the 9th day of January $168\frac{5}{6}$ and of our reigne the 1st year. By his Majesty's command. MELFORT.

225. DECLARATION by DUNCAN FORBES of Culloden, for the satisfaction of LUDOVICK GRANT of Grant, relative to the alleged imposition of a burden of £6 monthly on lands in Inverness-shire. 4th September 1703.

FORASMUCH as I, Duncan Forbes of Colloden, am persewed before the parliament injouriously by the Master of Tarbat and other inconcerned persones, as if, in the year 1690, I had wronged the shyre of Inuernes by laying on it a burden of six pounds Scots monethly, which was formerly borne by my lands of Ferrintoshe; and now, seeing that Lodovick Grant of that Ilk is unwilling to see me wrongd, but being out of memory how that transaction in the year 1690 passed, he cannot act for me but upon assurances; therfore I the

said Duncan do declair and am become oblidged in the tearmes after mentioned; that is to say, I do declair that though I had the Laird of Grant's concurrence, as commissioner for Inuerness shyre in the year 1690, for passing of the act made at that tyme in my favors, and though wee both had the unanimous consent of the gentlemen commissioners for supply of that shyre for laying on of the said burden of six lib. Scots monethly, yet I do assert and declair that the same was never done; but ther being ane overplus of some four, fyve, or six pounds Scots which always fell with the collectors, the same was put in lieu of the six lib. which ought to have been proportioned upon the shyre by virtew of the act of Parliament in my favors, and the shyre was keept free; so that ther is not one man within it that beares a farthing of my burden, if it be not myself, who was heighted 200 lib. Scots in anno 1691 upon my lands of Colloden: Lykeas I heirby become bound and obleidged that if this my assertion do not appear to be trew by the collector's books, and by his deposition, or that any thing fall short of the said six lib. which I say was supplyd by the overplus usually remaining with the collector, or that ever ther was a farthing stented to this day upon any man for me, and that the gentlemen of the shyre shall desyre to be rectified in it, then and in that case, I heirby oblidge me to take any such burden upon myself, and to impose it upon my own estate, upon the first examination. In witnes wherof I have wrettin and subscribit this my obligation, at Edinburgh, this fourt day of September j^{m}vij^{c} and three yeers, before thes witnesses, Hugh Rose of Kilraik and Allexander Grant younger of that Ilk.

H. Rose, witness.

Allexander Grantt, wittness.

D. Forbes.

226. Contract between Alexander Grant, younger of that Ilk, and Elizabeth Stewart, his spouse. 20th October 1707.

At Ballnadalloch, the twentieth day of October one thousand seaven hundred and seaven yeares, it is contracted and aggried betwixt Alexander Grant younger of that Ilk, and Elizabeth Steuart his spouse, in manner following: That is to say, the said Alexander Grant, in consideration and satisfaction of that clause of the contract of marriage betwixt him and his said lady, whereby she is provided to the housshould plenishing of their house of Urquhart, if the longest liver, and for the said lady her granting the assignation after insert, and for certain other good causes and weighty considerationes moveing him, hath assigned and disponed, and by these presents assignes and dispones in favores of the said Elizabeth Steuart, if she survive him, and her aires and assigneyes, not only all furnitur, household plenishing of whatever sort, jewells, gold, pleatt, bookes, and other things within or pertaining to their houses and familie that presently do, or [at] the time of the dissolution of the said marriage may pertain to him, excepting his armes and the present furnitur of Castle Grant, or such furnitur as may be found therin when the said Alexander Grant and Elizabeth Steuart may

happen to possess the same, but also all cornes, catle, horse, nolt, sheep, and others of that or the like kinde that does or may appertain to him the time of his decease: Dispenceing with the generality hereof, and obligeing him and his aires to warrand the said disposition and assignation at all hands: And on the other pairt, the said Elizabeth Steuart, in the case of her decease before her said husband without issue of her own body, renunces, assignes and dispones in favores of him, his aires and assigneyes whatsumever, all right, title, intrest, share and proportion of his estate, heretable or moveable, competent to or that might be anywayes acclamed by her aires, nearest of kinn, or any other person upon her account, and obliges her aires and successors to warrand thir presents at all hands; and dispences with the generality: And both pairties consent to the registration hereof in the books of Counsell and Session, or any other bookes competent, therin to remain for preservation; or, if need be, that execution pass hereupon in forme as effieres; and to that effect constitute their procurators. In witnes wherof they have subscribed these presents and ane other principal duplicat hereof (writen be John Steuart, writer to the signet), place, day, moneth and year above-writen; before these witnesses, Robert Grant and James Morison, servitors to the said Alexander Grant, the date being filled up by himself.

Robert Grantt, witness. ALLEXANDER GRANTT.
James Morison, wittness. ELIZABETH GRANTT.

227. ORDER by BRIGADIER-GENERAL ALEXANDER GRANT of Grant to garrison the house of the Boyne. 15th February 1715.

By the Honorable Alexander Grant of Grant, Briggadeer Generall of his Majesties forces and Lord Leivetennant of the cowntey of Banff.

THESE are ordering and reqwairing yow furthwith to raise to the number of tuantie fyve weall armed men owt of the millitia of the shyre of Banff, in the parishes of Banff, Boyndy, Collen, Fordyse and Des[k]ford, and garison the howse of the Boyne, and there to secure all armes, horses and warlick amunition for his Majesties use, and to tack care that noe person nor persons enter the said hows except those that belong to the said garisone till my further orders, or orders from the commander in cheiff in Scoteland: as also yow are to order the neigbouring countrey to furnish the said garison with fyreing and bedding, and that the said garisone doe noe manner of harm to the said hows or aney thing belonging thereto. Given at Aberdeen, this fiveteen of February 1715, by me, and sealled . A. GRANT.

To the Deputy Leivetennants of the shyre of Banff, being Alexander Gardne of Trowp, elder and younger, and Alexander Abercromby of Glasoch.

228. ORDER of the March of the Army from Stirling. 12th November 1715.

Order of the march of the Army from the camp att Sterling, November the 12, 1715.

THE General shall beat att the Troop att . The Army to march in one column to a little new bridge one hundred yards on the other side the bridge of Sterling in the manner following:—

All the Granediers of the Army.
Forfar.
Fusiliers.
Shannon.
Montague.
Morrison.
Wightman.
Egerton.
All the Artillery.
Clayton.
Dragoons.
The Royal Grey.
Kerr.
Carpenter.
Evans.
Stairs.
All the Bagage.
25 Dragoons to close the whole.

From the same little bridge the Army shall march in two columns; the first on the right shall consist of all the foot and artillery in the order as above, and shall march all along the causey to Cornton and by the cart road to Allen, the foot over the Bridge of Allen, and the artillery to pass att the foord. This column shall march the high road to the bridge of Dumblain, where they will meet a dragoon to shew them the way into the camp.

The second column shall march to Dumblain upon the left of the first over the little bridge the short way to Allen, by the foord and up the high ground, leaving always the high road upon their right hand.

No bagage to march before the columns.

229. AGREEMENT between SIMON LORD LOVAT and WILLIAM MARQUIS OF SEAFORTH. 2d and 30th December 1715. [Copy.]

By SIMON LORD LOVAT, commanding his Majesties forces near Inverness.

I, SIMON LORD LOVAT, doe oblige myself upon honour to engage the Right Honorable John Earle of Sutherland, Lord Lieutenant of the six northern counties, (providing the Right Honorable William Earle of Seaforth doe immediatly dissipate and dissperse his men, not appear, or take arms against his Majesty King George or his goverment till the returne of ane express from Court, and that the said Lord will putt att liberty the gentlemen of the name of Munro, prisoners, against law, by his order), [that] the said Earle of Sutherland will write to Court in favours of the said Lord Seaforth; and that his Lordship and the friends under his command will not trouble or molest the said Earle of Seaforth, his country or people, till the returne of ane express the Earle of Sutherland has sent to Court, in favour of the said Earle of Seaforth: Given att Bewly, the 2nd 10ber 1715.

Sic subscribitur. LOVAT.

WEE WILLIAM Marquiss of Seaforth doe promise upon honour to Simon Lord Lovatt commanding his Majesties forces neare Inverness, to dissperse and dissipate my men immediatly; to set att liberty the gentlemen of the name of Monro detain'd by my orders; and not to take armes or appear against his Majesty, King George, or his government till the returne of the Earle of Sutherland's express from Court, providing that neither I nor my friends, country nor people, be molested or troubled till the said returne come from Court. Given att Brahan, the 30th 10ber 1715. Sic subscribitur SEAFORTH.

230. MEMORANDUM of the dates of Births of JAMES GRANT, son of LUDOVIC GRANT of Grant, and of ANNE CULQUHOUN, daughter of SIR HUMPHREY COLQUHOUN of Luss; also of their Marriage and the births of their children, etc. 1679-1724.

JAMES GRANT, son to Lodovick Grant of Grant, was born the twenty sixt day of July on thousand six hundred and seventy nyn yeirs.

Anne Colquhoun, daughter to Sir Humphray Colquhoun of Luss, was born the eleventh of Agust on thousand six hundred and eighty five yeirs.

James Grant and Anne Colquhoun were married the twenty nynth of January jmvijc and two yeirs, and had childeren—

Humphray, born the second of December, being Wedensday, on thousand seven hundred and two yeirs, about six a cloak in the morning.

Janet, born upon Wedensday the therty first of May j^{m}vij^{c} and four, about four in the afternoon, and dyed upon Thursday, the fifth of October j^{m}vij^{c} and four, about eight in the morning.

Jean, born upon Fryday, the twenty eight of September j^{m}vij^{c} and five yeirs, at six a cloak in the afternoon.

Lodovick, born upon Monday, the therteenth of January j^{m}vij^{c} and seven, about six in the morning.

Margaret, born on Monday, the nynteenth of January j^{m}vij^{c} and eight, about on in the morning, and dyed on Wedensday, the seventh of September j^{m}vij^{c} and nyn, about on in the morning.

Alexander, born upon Satterday, the eight of October j^{m}vij^{c} and nyn, about six in the morning, and dyed 12 of March 1712.

Anne Drummonda, born on Monday, the second of July j^{m}vij^{c} and eleven, about eight in the morning.

Elisabeth, born the 22 of January 1713, about two in the morning, being Thursday, and dyed on Sunday the 5 day of February.

James, born on Monday, the 22 of February 1714, about nyn in the morning.

Sophia, born the 12 January 1716, about two afternoon, being Thursday.

Francis, born on Saterday, 10 Agust 1717, at ten at night.

Penuell, born on Thursday, the 12 of Agust 1719, at four in the afternoon.

Clementina, born on Wedensday, the 12 Apryll 1721, at four afternoon.

Charles Cathcart, born at London, on Wedensday, the 3d Apryl 1723, at four in the morning.

Anne Colquhoun, dyed the 25 of June 1724, being Thursday.

231. Receipt by Donald Cameron of Lochiel to James Grant of Grant for Lochiel Charters, etc. 13th May 1724.

I, Donald Cameron off Locheyle, haveing perfyte knowledge of the great trust and friendship my predecessors reposed in the famely of Grantt, and that in the tyms of nationall trubles and disorders the said famelly of Grantt not only preserved the said friendship, but lykeways tuick into ther custodie and keeping our papers and evidents of greatest moment; and now, [seeing]

that the Honourable James Grantt of Grant, in discharge of the confidence and trust our famelly reposed in the said famelly of Grantt, is pleased to deliver wp to me, the said Donald Cameron of Locheyle, the following papers intrusted by my predicessors to the said famelly of Grantt, viz., ane charter under the Great Seall granted by Mary Queen of Scotland to Donald Cameron of Locheyle of the lands of Letterfinlay, Stronnabatt and Lindaly, dated the sexth day of March 1563 years, togither with ane precept under the Quarter Seall for infefting the said Donald Cameron in the saids lands, dated the sexth March 1563 years, with ane seasing following theron; item, ane charter granted be George Earle off Huntly etc. wp[on] the forsaid lands, dated the sextien day off February 1534 years; item, seasing following therwpon in fevours of Donald Cameron, apparent heir of Evan Cameron of Locheyle, dated the nynth day of May year forsaid; item, seasine wpon ane disposition granted be Allan Cameron in fevours of John Cameron his son wpon the lands of Knodart, dated the fiftienth day of Agust 1607 years; item, ane inventer of some of the papers belonging to the famelly of Locheyle; Therfor I hereby not only acknowledge and declair the receit of the saids papers, but lykways doe promise a gratfull recentment of the saids obligatiounes we lay under to them, and to acquent my posterity therof: In witness wherof thir presents, (wryten be George Grant of Clurie) are subscrivit with my hand, at Castle Grant, the 13th day of May 1724 years, before these witnesses, Ludowick Dunbar of Grange, Mr. John Dunbar of Burgie, advocate, Allexander Cameron my brother-german, and the said George Grant, wryter hereof.

Lo. Dunbar, witness. DONALD CAMERON of Locheill.
Jo. Dunbar, witnes. JA. GRANT of Grant.
Alexander Cameron, wittness.

232. BOND OF FRIENDSHIP between JOHN MACDONELL of Glengarry and JOHN and PATRICK GRANT of Glenmoriston. 1st November 1735. [Copy.]

AT INVERGARY, the 1st day of November 1735 years, it is contracted, agreed and finally ended betwixt the parties aftermentioned, viz., the honourable John M^{c}Donell of Glengary and John and Patrick Grants of Glenmoriston, elder and younger, with the special advice and consent of Alexander Grant of Crasky, younger, and Angus Grant of Deldregon, on the one and other parts, in manner following: That is to say, the said John M^{c}Donell and the said John and Patrick Grants, with consent foresaid, hereby bind and oblige themselves and their heirs whatsomever, strictly to mantain betwixt the aforesaid families of Glengary and Glenmoriston such kindness and friendship as was formerly keeped and observed by their predicessors; and that they shall join with one another, in so far as is lawfull and just, against any opposition or encroachments or unlawfull attempts to be made against any of the

saids families (the family of Grant being alwise excepted by the saids John and Patrick Grants); and the said John and Patrick Grants do by these presents, and with consent foresaid, bind and oblige them and their foresaids that they nor any of their family shall not at any time herafter mantain, harbour or reset the person of Allan Grant, son to the said John Grant, or travil with or assist him or any of his followers any manner of way, directly or indirectly: And the forenamed parties contractors, with consent foresaid, bind and oblige them and their foresaids to obtemper, perform and fulfill their respective parts of this contract to others, under the penalty of two thousand pounds Scots money of failzie, to be paid to the party performer or willing to perform the premisses, by and attour performance of this present contract; and that these presents may be registred in the books of any judicatory competent, that upon a decreet of the judges thereof letters of horning on ten days and other execution in form as effeirs may pass hereupon, [and] they constitute their procurators, etc. In witness whereof the above contractors, with consent foresaid, have subscribed these presents (written on stamped paper by James Steuart, sometime baillie of Maryburgh), day, place, moneth and year of God above written; before these witnesses, Ronald M^{c}Donell of Shian, John M^{c}Donell of Drynachan, and the said James Steuart, writter hereof. Sic subscribitur.

Ronald M^{c}Donell, witnes.
John M^{c}Donell, witnes.
James Steuart, witnes.

JOHN M^{c}DONELL of Glengary.
JO. GRANT.
PAT. GRANT.

ADDITIONAL CHARTERS.

233. TRANSCRIPT, made *circa* 1550, of Charters relative to the Lands of Inverallan. A.D. 1316-1529.

Deus in nomine tuo.

Memorandum.—The Lard of Fedderat, superiour of the landis onder wrettin, oblist him to infeft Johne le Grant in the landis eftir specifeit, conforme to Augustinis of Inuerellanis chartour, etc., conforme to the obligatioun eftir following: of the quhilk the tenour followis.

OMNIBUS hoc scriptum visuris vel audituris, Willielmus de Feddrethe filius, superior dominus de Inuerellam, salutem in Domino. Nouerit vniuersitas vestra me fide media teneri et obligari per presentes Joanni le Grant, quod ego infeodabo ipsum et heredes suos et assignatos de corpore suo procreatos seu procreandos, dum tamen legitimos, secundum tenorem carte Augustini de Inuerellam et antecessorum suorum super tribus dauatis terre de Inuerellam, si reperiri potest; et si dicta carta inueniri non poterit, ego Willielmus infeodabo ipsum secundum libertates et formam quam dictus Joannes potest docere per probos et fideles homines patrie, pro seruitiis debitis et consuetis: Et ista infeodatio per me fiet quandocunque Joannes filius Gilberti de Inuerellam in curia mea omne jus et clameum quod habet et habuit in tribus dauatis terre de Inuerellam, quas de me tenuit, sursum mihi dederit cum fuste et baculo. In cuius rei testimonium sigillum meum presentibus est appensum; et ad maiorem rei euidentiam sigillum magistri Stephani de Donydoir archidiaconi Morauiensis, vna cum sigillo Valteri de Bothewall vicecomitis de Elgin apponi procuraui. Datum apud Elgin, die Sancti Luce euangeliste [18th October], anno Domini 1316.

Thaireftir Johne of Inuerellam, sone to Gilbert, brother to Augustine of Inuerellam, and air to the said Augustine be deces of the said Gilbert, sauld and annaleit the saidis landis to Johne le Grant forsaid, conform to his chartour maid thairupon: of the quhilk the tenour followis.

OMNIBUS hoc scriptum visuris vel audituris, Joannes de Inuerellam, filius Gilberti fratris Augustini de Inuerellam, et heres dicti Augustini de Inuerellam per decessum dicti Gilberti

patris sui, salutem. Noueritis me dedisse, concessisse, et hac presenti carta mea confirmasse Joanni le Grant et heredibus suis seu assignatis, a me et heredibus meis in perpetuum totam terram meam de Inuerellam, scilicet, tres dauatas in integras, per suas rectas et diuisas, cum pertinentiis, pro quadam summa pecunie mihi in mea magna necessitate persoluta, de cuius receptione me teneo contentum: Tenendam et habendam sibi et heredibus suis seu assignatis, libere, quiete, pacifice et honorifice, in planis et boscis, in moris et moresiis, in pratis et pascuis, in aquis, molendinis et brasiniis, in venationibus et piscariis, et cum omnibus aliis libertatibus et aysiamentis, ad dictam terram pertinentibus vel quoquomodo pertinere valentibus, tam nominatis quam non nominatis: Faciendo inde forinsecum seruitium domini Regis quantum pertinet ad dictam terram; et faciendo Willielmo de Fedderat etiam et heredibus suis seruitium quod antecessores mei antecessoribus suis facere consueuerunt de predictis terris: Ego vero Joannes de Inuerellam et heredes mei dictam terram cum pertinentiis predicto Johanni le Grant et heredibus suis seu assignatis contra omnes homines et feminas varantizabimus, acquietabimus et defendemus in perpetuum. In cuius rei testimonium presenti carte sigillum meum apposui; his testibus, domino Patricio de Grahme, milite, domino Joanne vicario perpetuo de Inuernes, Andrea le Grant, Alexandro Pilche burgensi de Inuernes, magistro Felano rectore scolarum eiusdem et multis aliis.

Ondaitit bot seilit.

Eftir the gyfing of the quhilk chartour in maner forsaid, the Lard of Fedreth seing the same according to his letteris obligatouris abone wrettin, giffis his chartour of confirmatioun of the said alienatioun to the said Johne le Grant: quhairof the tenour followis.

Omnibus has literas visuris vel audituris, Willielmus de Fedreth filius, superior dominus de Inuerellam, eternam in Domino salutem. Noueritis me concessisse, et hac presenti carta mea confirmasse venditionem illam quam fecerit Johannes filius Gilberti de Inuerellam Joanni de Grant de tribus dauatis terre de Inuerellam cum pertinentiis, infra vicecomitatum de Inuernes: Tenendam et habendam eidem Johanni et heredibus suis seu assignatis de corpore suo procreatis seu procreandis, dum tamen sint legitimi, adeo libere et quiete, plenarie et honorifice, sicut carta dicti Joannis filii Gilberti exinde confecta iuste proportat et testatur. In cuius rei testimonium presenti confirmationi mee sigillum meum apposui. Datum apud Elgin, die Lune in festo Sancti Luce euangeliste [18th October], anno Domini 1317.[1]

After this document in order of date follows the charter by Patrick le Grant, Lord of Stratherrick, as printed in No. 15, *supra*.

[1] So in original transcript, but the 18th October in 1317 was not a Monday. The true date of the charter is 18th October 1316, the feast of St. Luke falling on a Monday in that year.

To this Johne le Grant succedit Elezabet Grant, oy and air to Patrik of Straharrigag, quha makis and constitutis Johne Seres hir oy air to hir of all hir landis that scho hes presentlie in possessioun or hes titill to; promittand nocht to defraud him thairof at ony tyme, etc., as the testimoniall and constitutioun maid be hir onder hir seill mair fullilie proportis: of the quhilk the tenour followis.

VNIUERSIS ad quos presentes litere peruenerint, Elezabethe le Grant, nepotem ac heredem propinquiorem quondam Patricii le Grant, domini de Straharrigag, salutem in Domino sempiternam. Sciatis prout debeo, de iure fecisse, constituisse ac ordinasse Joannem Seres, meum heredem propinquiorem de me descendentem recta linea nepotem, et per presentes confirmasse de vniuersis terris et possessionibus quibuscunque quas jam jure hereditarie teneo et habeo in mea possessione vbicunque; ac etiam de vniuersis aliis terris et redditibus mihi de jure spectantibus que non sunt nunc in possessione; mea tamen vita durante eisdem terris et possessionibus libere penes me cum pertinentiis remanentibus, ad verum meum dominium et libertatem prout prius: Et hec fideliter testor et concedo, necnon et per presentes obligando omni cauillatione postposita, quod nulla alienatio fiet de antedictis per me uel per quoscunque alios cum meo consensu adhoc adhibito et obtento a predicto meo nepote de et si que alienatio facta fuit per quemcunque, illam irrito, annullo et nullius habeat roboris in futurum: In cuius rei testimonium sigillum presentibus est appensum, apud Inuernes, penultimo die mensis Septembris, anno Domini 1433.

Quhilk Johne Seres constitute and maid air as said is be the said Elizabeth Grant obtenit ane decreit of the lordis vpoun the saidis landis and maillis thairof, etc., decernand him to be onvexit or trubillit in the bruiking and josing of the saidis landis, but as the curs of commoun law will as the said decreit beiris: off the quhilk the tennour followis.

JACOBUS Dei gratia Rex Scotorum, vicecomiti et balliuis suis de Inuernes, salutem. Sciatis nos quoddam actum siue decretum per consules nostros inferius descriptos datum et promulgatum vtique intellexisse, sub hac forma:—VNDECIMO die mensis Octobris, anno Domini millesimo quadringentesimo sexagesimo quarto, in pretorio de Edinburgh, presentibus dominis querelarum et causarum auditoribus subscriptis, videlicet, reuerendo in Christo patre Niniano episcopo Candide Case, venerabilibus in Christo patribus Alano abbate de Calco, Malcolmo abbate de Abirbrothok, pro clero; nobilibus et potentibus dominis Andrea domino le Gray, Alexandro domino Mongumrie et Joanne domino Lyndesay de Byris, pro baronibus; honorabilibus viris, Georgio Gurlaw et Lanceloto de Abirnethy, burgensibus; In causa mota per Joannem Seres actorem ex vna contra et aduersus Angusium Gibbonsoun reum, partibus ex altera, penes iniustam spoliationem, occupationem et detentionem terrarum suarum de Gaiche et Inuerallem cum pertinentiis et firmarum earundem, dicto Joanni vt asseritur per-

tinentium, et per dictum Angusium iniuste spoliatarum, occupatarum et detentarum. Quo legitime summonito, vocato et non comparente, necnon de die in diem continuato ac iterum vocato et non comparente, visis per dictos dominos cause meritis et ad plenum per eosdem discussis, rimatis et intellectis, dicti domini in eadem mature avisati, in penam sue contumacie, deliberauerunt in hunc modum qui sequitur :—The Lordis deliueris and ordanis Angus Gibbonsoun sall restoir and deliuer to Johne Seres the maillis of the landis of Gawich and Inuerallem spulzeit and taikin vp be him in tyme bygane ; and that in tyme to cum the said Johne salbe vnvexit and vndistrubillit in brukin and josing of the saidis landis, bot as the curs of commoun law will ; and that thair be letteris directit vnder the quhyt vax to the schereff of Inuernes for restorance of the said maill and executioun of this decreit. Extractum de registro per me, magistrum Fergusium M'Dowall, clericum rotulorum et registri S. D. N. Regis, sub meis sigillo et signo manuali solitis et consuetis, anno, die, et mense suprascriptis. QUODQUIDEM actum siue decretum, ac omnia et singula in eodem contenta, in omnibus suis punctis et articulis, approbamus, ratificamus et per presentes confirmamus : Quare vobis vicecomiti et balliuis de Inuernes, stricte precipimus et mandamus, quatenus dictum Angusium Gibbonsoun, ac terras et bona eiusdem, ad restitutionem firmarum dictarum terrarum dicto Joanni Seres indilate restituendarum compellatis et distringatis ; ac ipsum Joannem Seres, suos seruitores et tenentes, in pacifica possessione earundem terrarum cum pertinentiis temporibus futuris iuste defendatis ; ita quod in executione vestri officii amplius inde iustam queremoniam non audiamus, sub omni pena que competere poterit in hac parte : Et presentes literas per vos debite executas earundem reddite portatori. Datum sub testimonio magni sigilli nostri, apud Edinburgh, duodecimo die mensis Octobris, anno regni nostri quinto.

To the quhilk Johne Seres succedit Patrik Seres, his sone and air, in quhais favouris the Lard of Feddret directit his precept of sasing to gif him sasing of the same landis, as the said precept beiris as followis.

WILLIELMUS Craufurd, dominus de Fedrey, Patricio Leslie de Balquhane, Roberto Steward de Cullarnye et Wilhelmo Steward de Kilmachlon, et eorum alteri coniunctim et diuisim balliuis meis in hac parte irreuocabiliter constitutis, salutem : Vobis et vestrum cuilibet, coniunctim et diuisim, do in mandatis, precipio et firmiter mando, quatenus Patricio Seres aut suo certo attornato, latori presentium, statum, possessionem et sasinam hereditarias omnium et singularum terrarum de Inuerellam cum pertinentiis, iacentium infra vicecomitatum de Inuernes, visis presentibus indilate tradatis et deliberetis, seu alter vestrum tradat et deliberet, que de me tenentur secundum tenorem carte quam inde habet ; saluo iure cuiuslibet : Ad quod faciendum vobis et vestrum alteri, coniunctim et diuisim, meam plenariam et irreuocabilem tenore presentium committo potestatem : Et sigillum vestrum sasinam dantis, vt

premittitur, in secunda cauda post meum presentibus appendatis seu alter vestrum appendat. Datum sub sigillo meo, apud Aberdene, decimo sexto die mensis Aprilis, anno Domini 1482.

Efter the quhilk seassing taiking the said Patrik Seres resignit the saidis landis in Villiam Crafurd of Feddrachtis handis, superior thairof, in fauouris of Jhone Grant, sone and appeirand aer of Schir Duncan of Grant of Fruquhy, knycht, as the instrument of resignatioun maid thairon at lenth beiris: of the quhilk the tennour followis.

In Dei nomine amen. Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Domini millesimo quadringentesimo octuagesimo secundo, mensis vero Maii die nono, indictione vltima, pontificatus sanctissimi in Christo patris ac domini nostri domini Sixti diuina dispensatione clementie pape quarti anno vndecimo: In magnifici et prepotentis domini Georgii comitis de Huntlie domini Gordoun et de Badzenoch, nobiliumque virorum Alexandri Lindsay magistri de Cravfurd et Alexandri Gordoun magistri de Huntlie, ac mei notarii publici et testium subscriptorum presentia, personaliter constitutus providus vir Patricius Seres, filius et heres quondam Joannis Seres, non vi aut metu ductus nec errore lapsus, sed sua libera et spontanea voluntate animoque deliberato, vt apparuit, totas et integras terras suas de Inuerellam cum pertinentiis infra vicecomitatum de Inuernes iacentes, in manibus honorabilis viri Vilhelmi Crafurd de Feddra premissarum terrarum domini superioris, per fustem et baculum demisit, pureque et simpliciter genibus flexis resignauit, et quia prefatus Patricius prenominatas terras de Inuerellam cum pertinentiis honorabili viro Joanni Grant, filio et apparenti heredi honorabilis viri Duncani Grant de Fruquhy, militis, pro certa pecuniarum summa numerata et sibi Patricio per dictum Joannem plenarie deliberata et integraliter persoluta vendidit et alienauit: Idem Patricius dictum Vilhelmum, predictarum terrarum dominum vt premittitur superiorem, debita cum instantia supplicando requisiuit, quatenus ipse dictum Joannem in dictis terris infeodaret, eundemque in possessionem hereditariam earundem induci faceret; cartas, literas et alia documenta pro premissis necessarias et necessaria sibi deliberari faceret: Vnde idem Vilhelmus attendens huiusmodi requisitionem fore iustam et rationi consonam, totas et integras prenominatas terras de Inuerellam cum pertinentiis in manibus suis, sic vt premittitur resignatas, infra vicecomitatum de Inuernes vt prescribitur iacentes, prenominato Joanni Grant per deliberationem dictorum fustis et baculi tradidit et deliberauit; cartas, literas et alia documenta pro premissis necessarias et necessaria eidem deliberari concessit: Super quibus omnibus et singulis prefati Vilhelmus et Joannes a me notario publico subscripto sibi fieri petierunt vnum vel plura, publicum seu publica, instrumentum seu instrumenta: Acta erant hec apud Geycht forreste de Enzie, in aula eiusdem, hora quasi sexta post meridiem vel eocirca, sub anno, mense, die, indictione et pontificatu quibus supra; presentibus ibidem, honorabilibus et

circumspectis viris magistro Adam Gordoun, prefati domini mei comitis fratre, Dauide Ogiluy de Petmedden, Joanne Patricii Grant, Patricio Bissat, et Dugello Gregorii notario publico, cum multis aliis testibus ad premissa vocatis specialiter et rogatis. Et sic subscribitur. Et ego Vilhelmus de Duffus, presbiter Morauiensis diocesis, publicus authoritate imperiali notarius, quia premissis omnibus et singulis dum sic vt premittitur agerentur, dicerentur et fierent, vna cum prenominatis testibus presens interfui, eaque omnia et singula sic fieri vidi, sciui et audiui, ac in notam sumpsi; ideoque hoc presens publicum instrumentum manu alterius me aliis occupato negotiis fideliter scriptum exinde confeci, subscripsi et in hanc publicam formam redegi; signoque nomine et subscriptione meis solitis et consuetis signaui, rogatus et requisitus, in fidem et testimonium omnium et singulorum premissorum.

Conforme to the quhilk resignatioun maid be the said Patrik Seras, as said is, the said William Craufurd of Feddra directit his precept for giffing of sasing to the said John of the saidis landis, quhilk wes put to dew executioun, as the same beiris: of the quhilk [the] tennour followis.

Willielmus Craufurd de Feddera, Roberto Steward de Cullarlie, Valtero Steward de Kilmachlon, et Dauid Valteri de Kincardin, balliuis meis in hac parte specialiter constitutis, salutem: Quia dedi et concessi hereditarie honorabili viro Johanni Grant, filio et apparenti heredi nobilis viri Duncani Grant de Fruquhy, militis, totas et integras terras de Inuerallem, infra vicecomitatum de Inuernes cum pertinentiis iacentes: Quequidem terre cum pertinentiis de me tenentur in capite, et que fuerunt Patricii Seras, filii et heredis Johannis Seras, et quas idem Patricius, non vi aut metu ductus, nec errore lapsus, sed sua libera et spontanea voluntate, in manibus meis per fustem et baculum pure et simpliciter resignauit: Vobis igitur et vestrum cuilibet, [coniunctim] et diuisim, precipio et mando quatenus visis presentibus indilate personaliter accedatis, aut alter vestrum accedat, ad prenominatas terras de Inuerellam; et ibidem apud solum et messuagium earundem, sasinam hereditariam statumque et possessionem predictarum terrarum de Inuerellam cum pertinentiis dicto Johanni vel eius certo attornato vel procuratori secundum vim, formam et tenorem carte mee sibi exinde confecte, saluo iure cuiuslibet, conferre curetis; et hoc nullo modo omittatis: Ad quod faciendum vobis et vestrum cuilibet, coniunctim et diuisim, meam tenore presentium cum officio ballie committo potestatem: In cuius sasine et possessionis per vos traditam [traditarum] signum et testimonium sigillum vnius vestrum sasinam dantis in secunda cauda post meum presentibus appendatis, penes dictum Johannem imperpetuum remansurum. In cuius rei testimonium sigillum meum est appensum, apud Geycht in forresta de Enzie, nono die mensis Maii, anno Domini 1482.

Eftir quhais disceas Villiam Cravfurd off Feddrathe derekit his precept of clare constat for giffing of seassing to Jhone Grant, his sone, as the precept derectit thairvpone put to dew executioun be the bailze mentionat thairin at lenth bearis: off the quhilk the tennour followis.

Villielmvs Crafurd de Feddrath, Roberto Steuart de Cullarle, Valtero Steuart de Kynmeachlon, Dauidi Valteri de Kyncardyn, et Alano Steuart, balliuis meis in hac parte specialiter constitutis, salutem: Quia dedi et concessi hereditarie honorabili viro Joanni Grant, filio et apparenti heredi nobilis viri Joannis Grant, totas et integras terras de Inuerellam cum pertinentiis, iacentes infra vicecomitatum de Inuernes: Que quidem terre cum pertinentiis de me tenentur in capite, et que fuerunt Patricii Seras, filii et heredis Joannis Seras: Vobis igitur, et vestrum cuilibet, coniunctim et diuisim, precipio et mando, quatenus visis presentibus indilate personaliter accedatis aut alter vestrum accedat ad prenominatas terras de Inuerellam cum pertinentiis; et ibidem super solum earundem sasinam et possessionem corporalem hereditarias statumque earundem terrarum de Inuerellam cum pertinentiis, dicto Joanni vel eius actornato, vel procuratori, secundum vim, tenorem et formam carte mee sibi inde confecte tribuatis, saluo iure cuiuslibet, vt moris est: Et hoc nullo modo omittatis: Ad quod faciendum vobis et vestrum cuilibet coniunctim et diuisim meam, tenore presentium cum officio ballie, irreuocabiliter committo potestatem. In cuius sasine, possessionis et status per vos traditorum, signum et testimonium, sigillum vestrum sasinam dantis in secunda cauda post meum presentibus appendatis, penes dictum Joannem in perpetuum remansurum. In cuius rei testimonium sigillum meum est appensum, apud Feddra, octauo die mensis Junii, anno Domini 1483.

In the quhilk Johne Grantis tyme that wes last sasit in the saidis landis, as said is, the King Grace disponit and maid a gift of the ward of the half of the landis of Gaych, Glenbeg, and Dregy, with the pertinentis, to ane Robert Douglas, quhilk is the half of the landis of Inuerellam abone wrettin, bot hes gottin wther names throw forder laboring of the landis nor wes wont to be done o' auld tymes abefor: Quhilk Robert Douglas persewit the said Johne Grant for the mailis thairof as pertenyng to the King and him as donatour thairto be rasoun of vard, throw deceis off wmquhill Alexander Hay of Mayne; fra the quhilk clame the said John Grant in foro contradictorio ves absoluit, as the decreit giffin thairupone beiris: of the quhilk the tenour followis.

At Edinburgh, the xxj day of August, the zeir of God 1511 zeiris, the Lordis of Consall onderwrettin, that is to say, reuerend faderis in God, William bischope of Aberdene, Androw bischope of Cathnes, Dauid bischope of Galloway, wenerable faderis in God, Johne priour of Sanct Androis, George abbot of Halirudhous, Henrie abbot of Jegburgh, Mr. Gawin Dunbar.

archidene of Sanct Androis, clerk of register, and Robert Colwill of Ochiltrie, assoilzeis Johne Grant of Fruquhye fra the petitioun and clame of our souerane lord anent the vptaking of the mailis of the half of the landis of Gaych, the half of the landis of Glenbeg, the half of the landis of Dregy, with the pertinentis, lyand in the schirefdom of Inuernes, allegit pertenyng to his hienes, be rasoun of non entres of the air of vmquhill Alexander Hay of Mayne, be the space of ane zeir nixt precedand the secund day of Maii, and of our souerane lordis regnne the xxiij zeir, lyk as at mair lenthe is contenit in the summondis maid thairupone: And decernis the said Johne quiet thairfra in tyme to cum: Becaus he schew and producit befor the lordis chartour and sasing of the saidis landis; the said Johne and Robert Douglas haiffand the gift of the said non entres of our souerane lord, being personalie present. Extractum de libro actorum per me magistrum Gavinum Dunbar, archidiaconum Sancti Andree, clericum rotulorum, registri ac consilii supremi domini nostri regis, sub meis signo et subscriptione manualibus. Et sic subscribitur, Gavinus Dunbar.

Eftir the quhilk Johne Grantis deceis, the Lard of Fedray directis his precept of clare constat to giff James Grant, his sone and air, sasing of the saidis haill landis of Inuerellane; quhilk wes put to dew executioun, as the instrument of sasing following at lenthe beiris.

In Dei nomine amen. Per hoc presens publicum instrumentum cunctis pateat evidenter, quod anno incarnationis Domini millesimo quingentesimo vigesimo nono, mensis vero Octobris die vigesimo quinto, indictione tertia, pontificatus sanctissimi in Christo patris et domini nostri domini Clementis diuina prouidentia pape septimi anno sexto: In mei notarii publici et testium subscriptorum presentia personaliter constitutus honorabilis vir, Jacobus Grant de Frequhy, vnum preceptum sasine in pergameno scriptum, sub appensione sigilli nobilis viri Georgii Craufurd de Fedrey, in manibus suis tenens in medium produxit; illudque honorabili viro, Patricio Grant in Tullochgorme, in hac parte balliuo exhibuit et presentauit, pro sasina omnium et singularum terrarum infrascriptarum de Inuerallem cum pertinentiis, iacentium infra vicecomitatum de Inuernes, sibi danda; ipsumque Patricium super executione eiusdem et contentorum in eodem requisiuit: Quodquidem preceptum dictus Patricius in hac parte balliuus recepit et ea qua decuit reuerentia mihi notario publico subscripto tradidit perlegendum; cuius precepti tenor sequitur et est talis:—Georgius Crafurd de Fedrey, dominus superior terrarum de Inuerallem, videlicet, Dragy, Glenbeg, Gawich et Cragan, cum earundem pertinentiis, dilectis Patricio Grant in Tullochgorme, Willelmo Thomsoun, balliuis meis in hac parte specialiter constitutis, salutem. Quia clare constat mihi quod Jacobus Grant lator presentium est legitimus et propinquior heres quondam Joannis Grant patris sui, qui obiit vltimo vestitus et saisitus vt de feodo, ad fidem et pacem supremi domini nostri Regis, de predictis terris; et quod dictus Jacobus est legitime etatis; et predicte terre tenentur de me

et heredibus meis per seruitium warde et relevii : Vobis igitur et vestrum cuilibet, coniunctim et diuisim, precipio et firmiter mando, quatenus visis presentibus dicto Jacobo aut suo certo actornato, latori presentium, statum, possessionem et saisinam hereditariam omnium et singularum terrarum de Inuerallem prescriptarum cum earum pertinentiis, jacentium infra vicecomitatum de Inuernes indilate tradatis et deliberetis, seu alter vestrum tradat aut deliberet : Ad quod faciendum vobis et vestrum cuilibet, coniunctim et diuisim, meam plenariam et irreuocabilem tenore presentium committo potestatem. In cuius rei testimonium sigillum meum proprium presentibus est appensum, vna cum mea subscriptione manuali per notarium publicum, apud Myltoun de Keyth, decimo nono die mensis Octobris, anno Domini millesimo quingentesimo vigesimo nono. Post cuiusquidem precepti presentationem, receptionem et lecturam, sic vt premittitur factas, prefatus Jacobus Grant dictum Patricium in hac parte balliuum debita cum instantia requisiuit, quatenus ad executionem dicti precepti et contentorum in eodem, iuxta traditam seu directam sibi in eodem formam, procedere curaretur : Vnde dictus Patricius in hac parte balliuus, attendens huiusmodi requisitionem iustam fore et rationi consonam, volens mandatum sibi in hac parte directum reuerenter exequi, vt tenetur, [accessit] ad solum dictarum terrarum de Inuerallem cum pertinentiis, vna mecum notario publico subscripto pariter excedente; et ibidem saisinam hereditariam, statumque et possessionem dictarum terrarum de Dragy, Glenbeg, Gawich et Cragan cum pertinentiis, dicto Jacobo Grant, iuxta tenorem precepti, tradidit et deliberauit; eundemque Jacobum per terre et lapidis traditionem in realem actualem et corporalem possessionem, vt moris est, instituit, induxit, inuestiuit et in pace dimisit ; saluo iure cuiuslibet : De et super [quibus] omnibus et singulis dictus Jacobus Grant a me notario publico subscripto sibi vnum vel plura, publicum seu publica, instrumentum seu instrumenta fieri petiit : Acta erant hec super solo dictarum terrarum hora vndecima ante meridiem, vel eocirca, sub anno, die, mense, indictione et pontificatu quibus supra ; presentibus ibidem, providis viris, Thoma Narne de Cromdall, Paulo Grant, Patricio Finlasoun, Joanne Clerk, Duncano Grant, Joanne Grant et domino Alexandro Farquharsone, cum diuersis aliis testibus ad premissa vocatis pariter et rogatis. Et sic subscribitur. Et ego Joannes Dauidsoun artium magister, presbiter Morauiensis diocesis, sacra apostolica authoritate notarius publicus, ceterisque omnibus et singulis dum sic vt premittitur agerentur, dicerentur et fierent, vnacum prenominatis testibus presens personaliter interfui, eaque omnia et singula sic fieri vidi, sciui et audiui ac in notam cepi, ex qua hoc presens publicum instrumentum manu aliena, me aliis occupato negociis, fideliter scriptum exinde confeci, nomineque cognomine, signo et subscriptione meis solitis et consuetis signaui et subscripsi in fidem et testimonium omnium et singulorum premissorum rogatus et requisitus.

234. Gift by King James the Fourth to John Grant of Freuchie, of the Ward and Non-entries of the lands of Auchnarrows, etc. 2d December 1508.

James, be the grace of God, King of Scottis, to all and sindry oure liegis and subditis quham it efferis quhais knaulage thir oure lettres sal cum, greting: Wit ze ws to haue gevin and grantit, and be thir oure lettres gevis and grantis, to oure louit Johne Grant of Frewchy and his assignays, the warde of the landis of twa Auchnarrowis, Dovnane, and the Port, with the pertinencis, extending in the hale to fyftene merkis worth of land, liand within our shirefdome of Inuernys, quhilkis pertenit to vmquhile Patrik Reoch of Auchnarrowis, and now throw his decess being in our handis be resoun of warde, with all malis and proffitis of the samyn, of all termes bigane and to cum during the tyme of the warde of the said landis, and ay and quhill the lauchfull entre of the richtwis ayr or ayris thareto, and als the mariage of Reoch, the son and ayr of the said vmquhile Patrik Reoch, and falzeing of him be decess vnmaryit, the mariage of ony vther ayr or ayris of the said vmquhile Patrik that sall happin to succede to him in his heritage, with all proffitis of the said mariage: To be haldin and to be had the warde and nonentreis of the said landis, with the pertinencis, malis, and proffitis thareof for the tyme foresaid, togidder with the said mariage, to the said Johne and his assignays, with all and sindry fredomes, commoditeis, proffitis, esmentis, and richtwis pertinencis pertenyng or richtwisly may pertene to the samyn, with power frely to dispone apon the said mariage, and apon the warde and nonentreis of the said landis, with the pertinentis, and to occupy the samyn with thare avne gudis, or to set thaim to tenentis, as thai think maist expedient, during the tyme abone writtin: Quharefor we charge strately and commandis zow, all and sindry our liegis and subditis quham it efferis or may effere, that nane of zow tak apon hand to mak ony impediment, lat, or distrublance to the said Johne or his assignays in the peceable bruking, joising, and disponyng apon the warde, nonentreis, and mariage foresaid, with all proffitis and pertinencis thareof, as is abone writtin, vndir all the hiest pane and charge that efter may folow. Gevin vndir our priue sele at Edinburgh, the secund day of December, the zere of God j^{m}v^{c}viii zeris, and of our regne the xxi zere.

Per signaturam manu supremi domini nostri Regis subscriptam, etc.

A. Scott.

235. Notarial Instrument on behalf of James Grant of Freuchie demanding relief from James Earl of Murray respecting the feu-duties of Glencarnie. 28th March 1530.

In Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum quod anno incarnacionis Dominice millesimo quingentesimo trecesimo die vero mensis Marcii vigesimo octauo, indictione tercia, pontificatus sanctissimi in Cristo patris et

domini nostri domini Clementis diuina prouidencia pape septimi anno septimo: In mei notarii publici et testium subscriptorum presencia personaliter constitutus honorabilis vir Jacobus Grant de Fruchty nobilem et potentem dominum Jacobum comitem Murrauie requisiuit ad releuandum, defendendum, ac a dampnis obseruandum ipsum Jacobum Grant de feodifirma terrarum de Glencarny pro terminis septimdecim annorum vltime elapsis aut eocirca: Quequidem feodifirme predictarum terrarum pro terminis supradictis idem Comes recepit, prout in suis acquietanciis de huiusmodi plenius continetur: Pro quibusquidem feodifirmis terrarum de Glencarny pro terminis predictis idem Jacobus Grant ad instanciam supremi domini nostri Regis summonitus est, prout in dicta summonitione latius continetur; necnon idem Comes ad releuandum et a dampnis obseruandum feodum hereditatis dictarum terrarum de Glencarny cum suis pertinenciis prefato Jacobo Grant ad manus supremi domini nostri Regis cum vniuersis dampnis et expensis inde sequentibus; quibus deficientibus, idem Jacobus Grant solempniter protestatus est pro juris remedio, tempore et loco congruis: Supra quibus omnibus et singulis idem Jacobus Grant a me notario publico subscripto sibi fieri petiit vnum vel plura publicum seu publica instrumentum vel instrumenta. Acta erant hec omnia in orto loci dicti comitis in vico vaccarum infra burgum de Edinburgh, hora octaua ante merediem; presentibus ibidem nobili viro Alexandro Ogiluy de eodem, Georgio Crafurd de Fethirat, Jacobo Ogiluy, domino Alexandro Ferquharsoun capellano, Alexandro Huchonsoun et Alexandro Luffe, cum diuersis aliis testibus ad premissa vocatis pariterque rogatis.

Et ego Patricius Duncani, clericus Aberdonensis diocesis, publicus auctoritate apostolica notarius, quia premissis, etc. (in forma communi).

236. Obligation by James Earl of Murray to James Grant of Freuchie, to secure the latter in the possession of the lands of Glencarnie. 21st June 1530.

Be it kend till all men be thir present lettres, ws, James Earl of Murray, to becumin bundyn and oblest, and be the tenour of thir presentis bindis and oblessis me in the stratast styl and forme of obligatioun can be devisit, and be the fayth and trevth of my body, to my weilbeluffit cusing, James Grant of Freuchquhy, that forsamekill as the said James is becumin man and seruand to me for all the dais of his liftyme, that thairfor I sal help, solist, and labour, with all my possibill power and diligens, at our souerane lord the kingis hand, and al vtheris neidful, to mak the said James jois and bruyk the landis of Glenquharny, with thair pertenens, to be haldin of our said souerane lord eftir the tenour of his infeftment maid be vmquhil our souerane lord that last decest to Jhon Grant, the said James fader, in the sikkerast form that can be devisit, and elykvys sal solist the kingis grace at my power to gif the said James al rycht, titil, entres, and clame that his henes hes, or may haue, to the said landis of Glenquharne, be resone of nonpayment of the fewmalis thairof, circumuention, or ony vther quhatsumeuer occasion or caus quhairof the begynnyn is bigane, and to renunce the samyn

in fauour of the said James; and forder, that I sal neuer haif nor persew entres nor titil, be na maner of vay, to the said landis of Glenquharne, nor na pairt thairof, exceppand the few penny maill alanerly contenit in the said James infeftment, gif I may purches at the kingis grace the said few maill of Glenquharne and Balnadallacht, with the pertenens, eftir the forme of the said infeftment; and attour I renunce, leffis, and ourgiffis be thir presentis all richt and titil of richt, entres, and clame that I haue, or ma haue, in and to the said landis of Glenquharne, with thair pertenens, and Balnadallacht, or ony pairt of tham, exceppand the few penny mail, as said is, for euer; and also I oblesis me to get the said James ane sufficient discharge of our souerane lord and his thesaurare of the byrunnyn malis of the forsaid landis of Glenquharne and Balnadallacht, with the pertenens, intromettit be ws sen the feld of Flovdon, betuix the dait heirof and the fest of the Assumption of our lady nixt to cum, of al zeris and termes bigane sen feld forsaid of Flovdon, and to varrand, releif, fre and kep skathtles the said James of the samyn, be al my gudis, landis, rentis, and possessions, movabill and vnmovabill, had and to be had, present and to cum; and for the fulfilling of the premissis, I haue suorn the gret aitht, the haly evangelis tuichit; and to verification of the premissis, I haue subscriuit this vrit with my propir hand, and hes causit my propir seil be affixt to the samyn at Elgin, the xxi day of Junii, the zer of God ane thousand fyf hundretht thretty zeris, befor thir vitnes, ane reuerend fader in God, James Byschop of Ros, Jhone Campbel of Caldour, knycht, Robert Innes of Innermarky, Jhone Mackenze of Kintaill, Patre Grant in Balnadallacht, Maister Jhone Bissat. JAMES ERLE OF MURRAY.

237. NOTARIAL INSTRUMENT narrating the election by the parishioners of Duthil of ANDREW GRANT to be Parish Clerk. 13th January 1537.

IN Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno incarnacionis dominice millesimo quingentesimo trigesimo septimo mensis vero Januarii die decimo tercio, indictione vndecima, pontificatus sanctissimi in Christo patris et domini nostri domini Pauli, diuina prouidencia pape tertii anno tercio, in mei notarii publici et testium subscriptorum presencia constitutus discretus vir Magister Andreas Grant, et personaliter accessit ad presencias subscriptorum parochianorum de Dwthell, et ab eisdem petiit eorum electionem et donacionem officii clericatus dicte ecclesie de Dwthell in eorum manibus, tunc vacantis per decessum quondam honesti viri, Willelmi Grant, vltimi possessoris eiusdem; et ipsi parochiani subscripti, non compulsi nec choacti, sed suis meris et spontaneis voluntatibus, ipsum Magistrum Andream Grant in clericum parochialem predicte ecclesie parochialis de Duthell elegerunt et nominarunt, ac eorum consensum ad officium clericatus eiusdem eidem Magistro Andree Grant dederunt, quorum nomina consensum prebentium sequuntur et sunt hec:—Patricius beg, Johannes M^{c}Jamis doy, Johannes moir M^{c}grwdder, Ferquhardus roy, Jacobus Scheid, Donaldus M^{c}Angus Millare, Johannes M^{c}Age Wikwilwor,

Willelmus M^cRobert M^cKerwyss, Patricius moir M^cPatre M^cWilliam, Andreas M^cThomas, Willelmus M^cAge M^cRethe, Duncanus moir M^cGillewy, Johannes M^cThomas, Alexander M^cWilliam M^cAlester, Donaldus beg, Johannes M^cDondoche M^cInlay, Johannes bayne, Gillendris M^cGilleglass, Johannes M^cDonald M^cInlay, Ferquhardus M^cOwne M^cArchare, Moricius M^cOwne M^cArchare, Patricius M^cConeill M^cClerycht, Dowgallus beg M^cCondill M^cAge, Donaldus M^cGilcallum, Malcolmus M^cInlay, Jacobus M^cCondoche M^cWilliam, Willelmus M^cAyn M^cOge, Jacobus M^cCondoche, Malcolmus M^cCondoche, Adam moir M^cClerycht, Johannes M^cAlester, Willelmus moir, Johannes bayne, Willelmus moir M^cAyn doy, Johannes M^cCondyl M^cThomas, Johannes bayne M^cAyn doy, Duncanus moir M^cAngus Willelmi [Williamson], Jacobus M^cOwne bayne, Hugo M^cAyn doy, Duncanus M^cAyn M^cOge, Willelmus Calder, Dauid M^cKay, Duncanus M^cGowne, Dauid beg, Johannes M^cAnekay, Johannes M^cFinlay, Adam M^cLard, Donaldus Card, Finlaius M^cWilliam moir, Patricius M^cAge, Thomas M^cRoy, Johannes M^cThomas, Johannes M^cOwne M^cArchare, Finlaius M^cCondil M^cClerycht, Willelmus M^cKennycht, Donaldus Calder, Thomas M^cGillecallum, Johannes M^cFaill, Donaldus M^cWilliam M^cAge, Adam M^cGillecrist, Malcolmus M^cWilliam M^cCondill, Willelmus M^cAyn M^cGibbone, Donaldus M^cAyn M^cOwne, Finlaius M^cRobert M^cKerwyss, Willelmus M^cDonald, Johannes M^cRobert, Malcolmus roy, Dougallus M^cAge, Johannes M^cAge, Johannes M^cAyn M^cAge, et Adam M^cGibbone : Post cuiusquidem electionem, nominationem, et donacionem subscriptorum parochianorum prefatus Magister Andreas Grant, infra magnam missam tempore prime lectionis, ad gradum altaris accessit, ac in eorum ydiomate alta voce dixit, Vos parochiani qui mee electioni consensistis surgite ad pedes ; et quotquot in ecclesia erant ad pedes surrexerunt, ita quod neminem vidi sedentem, et omnes vna voce clamauerunt se Magistrum Andream Grant elegimus in nostrum clericum parochialem et ad officium clericatus dicte ecclesie parochialis de Dwthell, et nullum alium, nisi per Jacobum, dominum de Grant, in contrarium arte compellamur, et si sic fuerimus compulsi per eundem Jacobum ad eligendum alium, volumus quod illa vltima electio sit inutilis et inanis cuicunque acceptanti et eadem vtenti, ex eo quod non potuit vocari electio sed compulsio : Super quibus omnibus et singulis sepedictus Magister Andreas Grant a me notario subscripto sibi fieri petiit instrumentum vel instrumenta vnum aut plura publicum seu publica. Hec acta erant in dicta ecclesia parochiali de Duthell, hora vndecima ante merediem vel eocirca, sub anno, die, mense, indictione, et pontificatu quibus supra, presentibus ibidem honestis et discretis viris Johanne M^cCondoche M^cQhene, Duncano Clerk, Duncano M^cCondoche M^cQhene, Donaldo Moir M^cConlekenlo, Alexandro M^cConlekenlo, Alexandro M^cWilliam Alester, laicis, et dominis Alexandro Ferquharson et Willelmo Wallace, capellanis, cum diuersis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Thomas Scherar, presbiter Aberdonensis diocesis, sacra appostolica auctoritate notarius publicus quia etc. (in forma communi).

238. Precept by Alexander Dunbar, Dean of Moray, for the induction of Andrew Grant as Parish Clerk of Duthil, 2d February 1537: with Instrument narrating induction into the office. 11th February 1537.

Alexander Dunbar, decanus Morauiensis prothonotariusque apostolicus, ac sede episcopali eiusdem vacante vicarius generalis, curato ecclesie parochialis de Duthill salutem. Quia officium clericatus de Duthill de jure et de facto vacans per obitum honesti quondam viri, Villelmi Grant, vltimi clerici et possessoris eiusdem, ad electionem parochinorum dicte parochie, nostramque admissionem et confirmationem ordinariam, hac vice racione dicte sedis vacantis, dilecto nostro Magistro Andree Grant, clerico habili et idoneo reperto, ad dictum officium contulimus, et ad idem officium admisimus, et dictam electionem confirmauimus, prout tenore presentium admittimus et confirmamus; vobis igitur precipimus et mandamus quatenus eundem Magistrum Andream in realem, actualem, et corporalem possessionem dicti officii, ut moris est, inducatis et instituatis, monentes insuper omnes et singulos parochianos dicte parochie quatenus eidem Magistro Andree, suo clerico parochiali, de vniuersis et singulis fructibus, prouentibus, et juribus dicti officii prompte pareant et respondeant, et nulli alteri, sub pena excommunicationis maioris. Datum ex Elgin sub appensione sigilli nostri officii, vnacum subscriptione manuali scribe nostri et notarii publici de mandato nostro, secundo die mensis Februarii anno Domini millesimo quingentesimo tresesimo septimo, etc.

Ita est, ut premittitur, Hugo Cragye scriba dicti domini vicarii generalis, et notarius publicus ad premissa requisitus et rogatus, teste manu propria, etc.

Vndecimo die mensis Februarii anno Domini millesimo quingentesimo trigesimo septimo, quo die dominus Willelmus Wallace, curatus de Duthell, de mandato quo infra, deliberauit Magistro Andree Grant amphoram et aspersorium, cum aqua benedicta, inducando et instituendo ipsum Magistrum Andream Grant in realem, actualem, et corporalem possessionem officii clericatus de Duthell, vt moris est, ac etiam monuit omnes et singulos dicte parochie parochianos quatenus eidem Magistro Andree Grant, suo clerico parochiali de Duthell, de vniuersis et singulis fructibus, prouentibus, et juribus dicti officii prompte pareant et respondeant, ac nulli alteri, sub pena excommunicationis maioris. Testibus ibidem Duncano Clerk, Johanne M^{c}Alester, Dugallo beg M^{c}Dowll, Duncano M^{c}Inclerycht, Finlaio Smytht, Alexandro M^{c}Intagart, Donaldo M^{c}Gillemartyn, Donaldo Brabner, et me, Magistro Thoma Scherar, notario publico cum diuersis aliis, etc.

Ita est Thomas Scherar, notarius publicus ad premissa rogatus et requisitus manu propria, etc.

239. Letter of Reversion by John M^cConquhy in Gartinbeg to Allan Macintosh of Rothiemurchus, over lands of Tullochgrue, 19th July 1537: with Discharge by his son Duncan Grant on 19th May 1581 indorsed thereon.

Be it kend till men be thyr present letteris, me, Johne M^cConquhy in Gartthrynbeg, to be boundyne and oblist, and be the tenour hereof lelylie and trewlie bindis and oblisdis me, my airis and assignais, to ane honorabill man, Allane M^cEan M^cAlister of Rathamurchus, and to his airis and assignais, that nochtwithtstanding the said Allane sald and analiet to me, be chartyr and sesing, all and haill the tayne half of his landis of Tullochchrow, with the pertinentis, lyand withtin the barony of Rathamurchus and scherefdome of Elgyne, neuyrtheles I will and grantis that quhat tyme and quhow schwyne the saidis Allane, his airis or assignais, wpone ane daye abetuxe the sone rising and downe passing of the samyne, contentis and pais to me, my airis or assignais, in the parroch kyrk of Douthall, wpone hye altar of the samyn, the sowme of ane hundreth merkis wsuale mone of Scotland hawand curs for the tyme, premunicione beand maid personalye, or at my duelling place apone xv dais varnyng, thane and in that cais to renunce, resing, and ourgif all and syndry the saidis landis of Tullochchrow witht thare pertinentis, sald and analeit to me, all titill, property, and possessionis thareof, witht all charteris, preceptis, instrumentis of sesing, and all odyr documentis quhatsumeuyr, to the said Allane, his airis or assignais; and gif it happynnis me, the said Johne M^cConquhy, my airis or assignais, as God forbeid to do, till absent ws fra the raset of the said mone, the said premunicione beand maid, thane and in that cais it salbe lesum to the said Allane M^cEan M^cAlister, his airis or assignais, to numnyr the said mone befor sufficient witnes apone the said altar, and deliuer and depone the samyn in the handis of the Prior of Kyngusy for the tyme, to the vtilite and profit of me, my airis and assignais, togiddyr witht ane sufficient lettyr of tak and bailzery of the said landis of the half of Tullochchro, witht the pertinentis, for all the dais and termes of thre zeris nixt and immediat followand the redemyng and outquitting of the said landis, payand tharfor zeirlie, induring the said thre zeris, the sowme of sex merkis wsuale mone of Scotland alanerlye, quhilk beand doin, it salbe lesum to the said Allane, his airis and assignais, to haue fre ingres in and to the forsaidis landis of the half of Tullochchrow, witht thare pertinentis, witht all chartaris, preceptis, instrumentis, and euidentis maid to me thareapone, to be renuncit, cassat, and annullat in thameselflis, and to haue naye strynthit nor credens befor na juge, spirituale nor temporale: In witnes of the quhilk, to this my lettyr of reuersione I haue appendit my propyr seill, and hes subscriuit the samyn, witht my hand beand at the pen, at Tullochchro, the xix daye of July, in the zeir of God ane thowsand v^c thretty vii zeris, befor thir witnes, Johne Grant in Tulloch, Duncane M^cEane, William M^cAgow, Mulcallum M^cFinlaye, Maister Thomas Scheuas (Scherar), and Maister James Farquharsone, notaris publik, witht oderis diuers. Johne M^cConquhy, witht my hand at the pen.

(*Dorso.*)—I, Duncane Grant in Gartinbeg, sone and air to vmquhile John Makconachie Grant in Gartinbeg, be the tennour heirof grantis me to haif ressauit fra ane honorabill man, John Grant of Fruquhy, superiour of the landis of Rathamurchus, the sowme of ane hundredtht merkis vsuall money of this realme, togidder witht ane sufficient letter of tak and bailliarie off all and haill the half lands of Tullocherow, witht the pertinentis withtin wreittin, for all the dayis and termes of thre zeiris nixt and immediatlie following the Feist of Witsounday last bypast, in the zeir of God j^{m}v^{c}lxxxi zeiris instant, for zeirlie payment of the sowme of four pundis money, and that in full and compleit contentatioun, satisfactioun, and payment of the contentis of ane reuersioun withtin vreittin; and thairfoir be the tennour heirof, for me, my airis and assignais, grantis and confessis the saidis landis laufullie redemit. and be thir presentis renuncis, resignis, and ourgevis all and sindry the saidis halff landis, with the pertinentis, sauld and annaleit to my said vmquhile father, all titill, propirtie, and possessioun thairof, but fraud or gyll: In witnes of the quhilk, I haif subscriuit thir presentis witht my hand, at Ballachastell, the xix day of May, the zeir of God j^{m}v^{c} four scoir ane zeiris, befoir thir witnes, William Makallane in Auchnarro, Alexander Stewart in Dragy, John Makallane, sone to the said William Makallane, and Maister William Gregour, notar publict.[1]

DUNCAN GRANT,
in Gartin, witht my hand.

Alexander Stewart in Dregy,
witnes, witht my hand.
Johne Makallane, witnes.

Mr. WILLIAM GREGOR,
notar and witnes, witht my hand.

240. FEU-DISPOSITION by PATRICK BISHOP OF MORAY to JAMES GRANT of Freuchie, of the lands of the Barony of Strathspey, 24th February 1539: with Notarial Indorsations narrating subsequent proceedings.

AT Edinburgh, the xxiiii day of Februar, the zeir of God ane thousand five hundreth thretty and nyne zeris, it is appontit and finallie agreit betuix ane reuerend fader in God, Patrik Bischope of Murray, Commenditour of the Abbay of Scone, one that ane part, and ane honorabill man, James Grant of Fruquhy, one that wther part, in meneir, forme, and effect as eftir fallowis: That is to say, the said reuerende fadir is bundin and oblist to do his exact and extreym deligence to infeft the said James Grant, his airis maill, and sevin of the said James Grant sornayme callit Grantis, and thair airis maill, sufficientlie, be vertew of chartouris and preceptis of sasingis, in few ferme heretablie, witht consent of the said reuerende fadir cheptour of Murray, vnder his and thair commone seillis and subscriptionis manuallis, gif the said reuerende fadir may recower the sammyn be ony maneir of way, and gif the said reuerende fadir may nocht get the said cheptour consent and thair commone seill thairto, thane and in that

[1] The seal of the granter of the reversion is still attached to the document. The charges are wholly defaced, but the legend is still partly legible, and runs thus: . . . + MAKCONOCH · IVN . . .

cais the said reuerende fadir is bundin and oblist to do his exact and extreym deligence to infeft the said James Grant, his airis maill and the saidis sevin callit Grantis, and thair airis maill, sufficientlie, be chertouris and preceptis of sasingis, in few ferme heretably, be commissioun purchest in the Court of Rome upoun the said reuerende fadir expensis, gif it may be gottin be ony way, in all and haill thir landis, witht thair parteis, pertinentis, and pendiculis that eftir fallowis; that is to say, in all and haill the landis of Lagane, the landis of Ardynche, witht the croft of the sammyn, the landis of Kyncardy, the landis of Connocawill, the landis of Ester Elche and Westir Elche, witht the mylln and croft of Vestir Elche, the landis of Aloquhy, the landis of Arthirdule witht the croft of the sammyn, the landis of Adwoky, the landis of Corane, the landis of Daltuly Estir and Westir, the landis of Auchannochy, the landis of Dalwey witht the mylln of the sammyn, the landis of Adwey, the landis of Rurory, the landis of Calater, the landis of Tulichane, the landis of Auchnahandocht, and the landis of Nedir Fynlarge, Medill Finlarge, and Ower Fynlarge, with all and syndry thair partis, pertinentis, and pendiculis, with toftis, croftis, houssis, zardis, and commone pastur, fre esche and entre pertenyng to the forsaidis landis, or justlie may perteyne thairto, witht all and haill the fisching off Spay withtin the boundis of the forsaid landis, the saidis James Grant, his airis maill and the forsaidis sevin persones and thair airis maill payand thairfor zeirlye to the said reuerende fadir and his successouris bischopis of Murray, for the maill of the forsaidis landis and fisching of the sammyn, the sovme of four scoir threttene pundis tene schillingis, conforme to the said reuerende fadir rentale of mony, and thretty ane pund thre schillingis four pennis to be pait zeirlie in agmentatioun of the said reuerende fadir rentale, extending to the thrid penny mair thane the said reuerende fader rentale beris or euir gaif to the said reuerende fadir predecessouris of befoir, extending in the haill to sex scoir four pundis thretene schillingis four pennis of gud and vsuall mony of the realme, at twa termes in the zeir, Witsonday and Mertymes in wynter, be equall portiones, nyxt and immediat eftir the infefting maid be the said reuerende fadir of all and sindry the landis aboun writing to the saidis James, the saidis sevin persones, and thair airis maill, and sall pay zeirlye for the mylln of Dalwey, and multuris of the forsaidis landis, twenty four bollis victuall, and sextene custum martis, and twa cheldris alevin bollis of custum aittis, at termes wse and wount, conforme to the said reuerende fadir allanerlie rentale; togiddir witht dubilling of the said few at the entres of the saidis James and forsaidis sevin persones air or airis happyning to enter thairto, witht seruice of the saidis James and sevin persones forsaidis, and thairis airis, tenentis, and inhabitantes of the forsaidis landis, in osting witht the kingis grace in his weris quhen sic sall happyn, and sall conweyn and be in cumpany witht the said reuerende fadir, or his ballie haiffand power for the tyme, witht ariage and cariage as efferis to serve thame self in the said osting, nochtwithstanding the said reuerende fadir hes remittit the said James Grant allanerlie, becaus he is ane barone of the kingis grace, he fyndand sufficient men in the said osting efferand to his part of the forsaidis landis, and

sall fynd presence and sect in the said reuerende fadir thre heid courtis of Murray in the zeir quhen tha ar haldin, and personally presence in the said reuerende fadir justice air or airis quhen the said air or airis happynnis to be haldin: Prouiding that the forsaidis landis be partit swa that fourty merk land of the samyn remayne witht the saidis James and his airis maill, and the remanent of the landis aboun expremit to be partit equallye amangis the saidis sevin persones and thair airis maill, swa that nayne of the said sevin persones nor thair airis maill sall haue heretable in few bot ac the maist tuenty four merk land of the saidis landis allanerlye, and the saidis James, his airis maill and the saidis sevin persones and thair airis maill, every man for his avne part, sall mak policye in biggin of hall, chalmeris, stabillis, keching, zardis, doucattis, and sall set treis witht wther policy necessar wpoun the saidis landis, conforme to thair fewis, for the quhilk infeftment making be the said reuerende fadir, as said is, to the saidis James and his airis maill, and to the forsaidis sevin persones and thair airis maill, the said James byndis and oblisis him and his airis to content and pay to the said reuerende fadir, his airis or assignais, the sovme of four thousand merkis vsuall mony of the realme, at the termes eftir falloving, that is to say, ane thousand merkis at the fest of Pasche nyxt and immediat fallowing the dait heirof, or withtin aucht dais thaireftir, and five hundreth merkis at the fest of Vitsonday nyxt falloving, or withtin xv dais thaireftir, and five hundreth merkis at Mertymes nixt thaireftir, and ane thousand pund at the fest of Vitsonday nixt thaireftir, in the zeir of God ane thousand five hundreth fourty and ane zeir, and five hundreth merkis at Mertymes nyxt thaireftir, in compleit payment of the saidis four thousand merkis. And in cais the said reuerende fadir may nocht obteyne his said cheptour of Murray consent, commone seill and subscriptionis manuall, as said is, to the forsaid infeftment betuix the dait heirof and the fest of Michaelmes nixt falloving, nor zeit be commissioun out of Rome, swa that the saidis James, the forsaidis sevin persones and thair airis maill, be na way ma be maid sickar of the said infeftment, nather be consent of the said cheptour nor commissioun of Rome, betuix the dait heirof and the said fest of Michaelmes, than and in that cais the said reuerende fadir bindis and oblisis him, be faith and treuth in his body, to sett in assedatioun to the saidis James, his airis and assignais, ane or may, all and hail the forsaidis landis, witht thair pertinentis, for all the dais and termes of five zeris nyxt and immediat falloving the ische of the said James last tak set to him of the forsaidis landis be the said reuerende fadir, as his letter of tak proportis, vnder his round seill and subscriptioun manuall, and sall mak ane sufficient lettir of tak for the forsaidis space of five zeris vnder the said reuerende fadir round seill and subscriptioun manuall, the said James, his airis or assignais, as said is, sall pay zeirlie all maill, victuall, custum aittis, custum martis, and wther deviteis, conforme to the said reuerende fadir rentale, for the quhilk assedatioun the saidis James and his airis sall content and pay to the said reuerende fadir the sovme of four hundreth merkis vsuall mony of the realme, and giff the said reuerende fadir infeftis nocht the saidis James and forsaidis persones in the saidis

landis as said is, betuix the dait heirof and the said fest of Michaelmes, in that cais the said reuerende fadir sall deliuer to the said James Grant ane lettir of tak in dew forme for five zeris of the saidis landis vnder the said reuerende fadir round seill and subscriptioun manuall, togidder witht ane obligatioun in the maist sickarest forme that can be deviset, to content and pay to the said James, his airis, assignais, and executouris, the sovme of alevin hundreth merkis of the sovme of ane thousand pundis quhilk the said James man deliver to the said reuerende fadir at the fest of Pasche and Vitsonday nyxt, and the four hundretht merkis remanent of the said thousand pund to be allovit for the thankis and gratitude of the forsaidis five zeiris takis to the said James, and gif the said reuerende fadir recoveris the said cheptouris consent of Murray thair seill and subscriptiones manuallis, and infeftis the saidis James and the forsaidis persons, as said is, or be commissioun of the Court of Rome, the said James and his airis sall content and pay to the said reuerende fadir, his airis, executouris, and assignais, the forsaid sovme of four thousand merkis at termes forsaidis, but fraud or gill; and for the faithfull obseruing and keping of all and sindry the premissis aboun writing, baitht the saidis parteis ar oblist and suorn vnder the pane of periure and defamatioun, the ane part heirof remanand witht the said reuerende fadir, selit witht the said James seill, and subscriuit witht his hand, and the wther part remanand witht the said James, selit witht the said reuerende fadir round seill, and subscriuit with his hand, day, zeir, and place aboun writing, befoir thir witnes, Maister Johnn Hepburn, persone of Dalry, Schir Thomas Wallace, Villiam Ogilvy, Schir Cristall Reocht, persone of Kylmavanocht, and Maister Andro Strang, notaris publictis, and Maister Johnn Douglas, vicar of Galstoun, witht wtheris diuers; and the said parteis ar contentit that this present contract be regestrat in the officiall bukis of Lowdeen, submittand thame to the jurisdictioun of the sammyn, renunciand all wther jurisdictiones and priuileige grantit to thame, or to be granted. Eodem die prefatus dominus officialis monuit prefatas personas ex eorum propriis consensubus sub pena excommunicationis maioris in prefatas personas pro obseruatione et perimpletione, prout in eodem contractu continetur.

Patricius Morauien. Epus. et de Scona Commendatarius, manu propria.

James Grant of Fruquhye, witht my hand.

Et prefatus officialis Sancti Andree infra Archidiaconatum Laudonie monuit prefatas personas sub pena excommunicationis maioris ut supra. Ita est Johannes Weddel officialis antedictus, manu propria.

It is appontit, conwenit, and finally agreit betuix the parteis withtin writing, that and the said reuerende fadir offer reallye and witht effect the saidis infeftmentis in dew forme, that is to say, witht the consent and assent of the said reuerende fadir cheptour of Murray, or

be commissioun of Rome in sickyr forme to the said James and his airis, swa that he and tha, and wther sevin persones and thair airis withtin writing may be maid sickir be ressone of the saidis infeftment offerit to the said James Grant and his airis, and in cais the said James or his airis refusis to ressaue the saidis infeftmentis maid in sickir dew forme, in this cais the said James oblisis him and his airis to pay to the said reuerende fadir, his airis and assignais, the sovme of four thousand merkis withtin writing, swa that the saidis infeftmentis be offerit at the terme withtin writing of Michaelmes nixt to cum, witht all wther interes the said reuerende fadir or his seige of Murray may recover upoun the said James, his airis, executouris, and assignais, for non fulfilling of all and sindry the pontis contenit in the said contract concerning the said James, and in cais the said reuerende fadir offeris nocht the saidis infeftmentis as said is, betuix the dait heirof and the Fest of Michaelmes nixt to cum to the said James, conforme to the contract withtin writing, in this cais the said James and his airis salbe fre of the payment of the said four thousand merkis bot as is withtin writing concerning his takis; in witnes of the quhilk thing baitht the saidis parteis hes subscriuit this present appontment with thair handis at Edinburght, day, zeir, and witnes withtin writing.

Patricius Morauien. Epus. et de Scona Commendatarius manu propria. [Et sum contentus moneri vt infra, renunciando omni priuilegio. Pa: Morauien. Epus.]

James Grant of Fruquhy, witht my hand.

Providing allwais that the saidis sevin persones to quhom the infeftment is to be maid as is withtin writing salbe chosin be the said James, quhilk the said James oblisis him to cheis and name at Edinburght, day and place aboun writing.

Pa: Morauien. Epus.

James Grant of Fruquhy, witht my hand.

Episcopus Morauiensis.

Die dominica vltima mensis Februarii anno Domini m°v°xxxix°, indictione xiij, pontificatus domini Pauli pape tertii anno sexto, reuerendus in Christo pater dominus Patricius Episcopus Morauiensis, motu proprio, et contemplatione serenissimi domini nostri regis, est contentus renuntiare presenti contractui, et eiusdem dissolutioni, quo ad partem suam consentiit, in casu quo Jacobus Grant, alter contrahens, pro parte sua, similiter dissolutioni eiusdem consenserit, et non alias aliter nec aliomodo: Et desuper dictus reuerendus pater a me notario publico subscripto petiit instrumentum et instrumenta: Acta erant hec Edinburgi Sancti Andree diocesis in domo reuerendissimi domini Cardinalis hora quinta post meridiem vel eocirca. Testibus reuerendissimo domino Cardinali, Episcopo Brechinensi, Domino Alexandro Abbate de Cambuskynnet, Magistris Henrico Quhite decano Brechinensi, Johanne Weddale officiali Laudonie et Roberto Galbrath rectore de Spot et diuersis aliis.

Ita est Jo: Lauder notarius in premissis rogatus manu propria scripsit.

Quarto die mensis Marcii anno Domini millesimo quingentesimo trigesimo nono, Dauid Woid de Craig, rotulator supremi domini nostri regis, et Jacobus Lermonth de Bawcomy moniti sunt, ex suis propriis confessionibus, sub pena excommunicationis submittentes se nostre jurisdictioni in hoc casu, coniunctim et diuisim renunciando beneficio diuisionis, et renunciando omnibus priueligiis seu exemptionibus sibi seu eorum alteri concessis aut concedendis, ad relcuandum et indempnem seruandum retroscriptum reuerendum patrem ad manus retroscripti Jacobi Grant, de singulis contentis in retroscripto contractu, necnon ad faciendam et imponendam exactam diligentiam ad manus supremi domini nostri regis ad causandum dictum Jacobum renuntiare retroscripto contractui et eiusdem dissolutioni.

Ita est Alexander Sinclare notarius in premissis.

241. Instrument of Protest by Patrick Bishop of Moray, that he had granted feu-farms of certain lands in Strathspey to John Grant of Ballindalloch and Patrick Grant of Dalvey under compulsion. 5th March 1539.

In Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno incarnacionis Dominice millesimo quingentesimo trigesimo nono mensis vero Marcii die quinto, indictione decima tercia, pontificatus sanctissimi in Christo patris et domini nostri domini Pauli diuina prouidentia pape tercii anno sexto; in mei notarii publici et testium infrascriptorum presencia Jacobus Leirmonth de Darsy, magister familie regis, et Dauid Wod de Crag, rotularum computator regis, accesserunt nomine serenissimi principis Jacobi quinti Scotorum regis ad presenciam reuerendi in Christo patris Patricii Moraiensis episcopi commendatariique perpetui de Scona, et dixerunt ac nunciauerunt eidem nomine regio prout sequitur in vulgari: That his grace requirit and commandit the said reuerend fadir, nochtwithtstanding the contract maid betuix him and James Grant of Fruchquhy, to set the said James and vtheris sevin persones of his surname contenit in the said contract, all and haill the landis and barony of Strathspey in few ferme, as the said contract beris in the self, to sett in few to Johne Grant of Ballindallocht the landis of Adwie, Tullichane, Callader, Ruror, and Aduoky, and to Patrik Grant, his brothir, the landis of the townis of Dalvey and myllin of the samyn, witht the thirll multuris and sukkin of all and haill the landis and townis of Auchnahandycht, Mikrath, Neddersularge, Ouersularg, Kincard, Culnikill, Ardynch, witht the croftis of the samyn, and Lagar pertenyng to the said maling, quhilkis landis ar ane partt of the landis of the barony of Strathspey. The said reuerend fadir ansuerit and prayit thame to schaw the kingis grace that he wes contrackit, oblist, and moneist to sett the haill landis of the said barony of Strathspey to the said James and sevin vtheris contenit in the said contract, and schew the samyn to the saidis James and Dauid, the saidis kingis familiaris, subscriuit witht the saidis reuerend fadir and James Grantis

handis, and selit witht the said James propir seill, and siclike subscriuit witht Maister Iohne Weddell, officiale of Sanctandrois, withtin the partis of Lowdeane, in takin of his monitioun maid apone baitht the saidis reuerend fadir and James Grant for obseruyng and keping of the said contract, ilkane of thame for thair awne part respectiue, to the quhilk ansuerit the saidis James, master houshald, and Dauid, comptrollar, and declarit that it wes the kingis grace mynde that the said reuerend fadir sett the saidis landis respectiue to Johne and Patrik Grant, said and consalyt him to do the samyn for sic causis as tha wald nocht schaw at that tyme, nochtwithstanding the said contract, for tha suld do exact diligence to caus the said James Grant to renunce his part of the said contract, and to keip the said reuerend fadir scathles at the said James hand, and all vtheris quhome it efferit, for nochtfulfilling of his part of the said contract: the said reuerend fadir ansuerit and said he wald subscriue the chartir at the kingis grace command, nochtwithstanding he protestit that howbeit he consentit to the setting of the said fewis, and subscriuit the chartir of the samyn sua at the Kingis grace command, that he incurrit nocht the panis contenit in the said contract, and als that he renuncit nocht the said contract bot in case that the said James Grant consentit to the dissolutioun of the samyn, and nocht vtherwise, becaus he wald nocht put his conscience and faith in na mannis credyte, and all that he did in the subscriuyng of the said chartiris wes at the Kingis grace command, as said is, quhilk he wald nocht disobey: Et statim post exitum dictorum Jacobi Leirmonth et Dauid Wod de presencia dicti reuerendi patris, ipse reuerendus pater exposuit et declarauit mihi notario publico et testibus subscriptis prout sequitur in vulgari; that is to say, that he wes to subscriue ane chartir of few witht ane precept to Johne Grant of Ballindallocht of the forsaid nemmit landis, and to Patrik Grant ane chartir and precept of few of the forsaid landis, the quhilkis he maid faith he dois be compulsioun and dredour, quhilk may fall in ane constant man, be the seuerite of the kingis grace done to him, Erle of Bothwell, laird of Wauchton, Dauid Hepburn, and mony vtheris of his blude and surname, and becaus he was contrackit witht James Grant of Fruchquhy. vndir panis of periure, inhabilite, and diffamatioun, and monist vndir panis of cursing for the obseruyng of the samyn be the officiale of Sanct Androis, in the partis of Lowdeane, he on na wise wald haue consentit to the saidis fewis, nor subscriuit the samyn withtout compulsioun of the kingis grace, as is abone writin, Quare solemniter protestatus est dictus reuerendus pater pro remedio juris tempore et loco oportunis, et pro reductione, retract[at]ione, cassatione, et annullatione dicti feudi et emphiteosis dictarum terrarum respectiue et pro eius et sue ecclesie cathedralis Morauiensis et suorum successorum restitutione ad integrum: Super quibus omnibus et singulis sepefatus reuerendus pater a me notario publico subscripto sibi fieri petiit instrumentum siue instrumenta vnum seu plura publicum seu publica: Acta erant hec in hospicio quondam Roberti Lesly in Edinburght horam circiter terciam post meridiem, sub anno, mense, die, indictione, et pontificatu suprascriptis; presentibus ibidem Magistris Johanne Hepburn rectore de Dalry, Alexandro Hepburne rectore de Ryne, Johanne Douglas vicario de

Galstoun, dominis Thoma Waltare camerario Moraniensi et Roberto Davson capellano, testibus ad premissa vocatis atque requisitis.

Et ego Andreas Strang artium magister clericus Sanctiandree diocesis publicus sacra auctoritate apostolica notarius, quia [etc. in forma communi].

242. Discharge by Patrick Bishop of Moray to James Grant of Freuchie and others, for 260 merks, as balance of grassum for feu-farm of the lands of the barony of Strathspey. 7th May 1544.

We, Patrik, be the marcie of God Bischope of Murray, and Commendatoure perpetuale of the Abbay of Sconne, grantis ws to haue resauit fra honorable men and his trast cousingnis, James Grant of Fruychy and Jhone Grant of Culcabok, his brothir, ilk ane for thare awnne part, the sowme of threttene scoir of markis wsuale money of Scotland, in haill and compleit payment of the sowme of twa thousand aucht hundreth markis, quhilkis the saidis James, Jhonne Grant of Culcabok, and Jhonne Graunt, sonne and aperand are to the forsaid James, togidder witht Robert Innes of Innermarky, war ackit in oure commissaris buykis of Murray, coniunclie and severlie, renunciand the benefite of diuisioune, to pay to ws, the said Bischope, airis, executouris, and assignais, at termes contenit in the said act, as the samyn mare fullilie proportis, of the date at Elgynne, the aucht day of May, the zere of God ane thousand five hundreth fourty ane zere, for gratitudis and gressume, and for the setting be ws, be the adwys and consent of oure chepture, of all and sindrie oure landis and barony of Strathtspey vnder vrittin; that is to say, Laganne, Ardynche, Auchnahandat, Connakyle, Auchnahangane, Wester Daltuly, Ester Daltuly, witht the croft of Cardell, Artilduly, witht the croft of the samyn, Alloquhy, witht the partinence and fischingis of the foirnamit townis aponne the watter of Spey, togidder witht the fischingis of Dalwey, Adwey, Calatare, Tullychtane, and Adwoky, to the forsaid James Graunt, his airis and assignais; Ester Eloquhy, witht the fischingis of the samyn aponne the water of Spey, witht fermis, multuris, and thare just pertinence quhatsumever, to oure louit Duncane Grant, sonne to the said James, his airis and assignais; Owerfinlarg, Mukrath, Midfindlarg, Nedderfinlarg, witht thare just and rychtuus pertinence, to oure louit William Graunt, sonne to the said James, his airis and assignais; Wester Elchze, witht the mill, fischingis aponne the water of Spey, Portaris Croft, witht the ferre cobbill, the landis of Kynkirdy, witht the fischingis, and all and sindrie thare just pertinence, to owre louit Johnne Grant of Culcabok, his airis and assignais; the landis of Carranne, witht the pendiculis, owte seittis, fischingis, witht the ferme and multuris of the samyne, witht all and sindrie thare just pertinence, to the forsaid Jhonne Graunt of Culcabok, his airis and assignais; and for the said sowme of twa thousand aucht hundreth markis in manere forsaid, and augmentationne of oure rentale in few ferme heretablie, lyand withtin oure regalite of Spyne, conforme and efter the tenour of thare charteris and infeftmentis maid thareupoune, as the samyn dewly proportis, ilk ane of

thame be thare selffis respectiue, off the quhilk sowme of threttene score of markis in compleit payment of the forsaid sowme of twa thowsand aucht hundretht markis, we for ws, oure successouris, airis, executouris, and assignais, grantis and haldis ws weill content and payt in numerit money, and quytclamis, exoneris, and dischargis the saidis James, Jhonne Grant his sonne and aperand air, Jhonne Grant of Culcabok, Robert Innes of Innermarky, as cautionaris and dettouris of the forsaid sowme of twa thowsand aucht hundreth markis, thare airis, executouris, and assignais, and all vtheris thare frendis kynnismen to quhom it efferis, and may pretend or haue interess hereintill, for ws, oure successouris, airis, executouris, and assignais, simpliciter and for ever, and be thir presentis consentis to the deliting, cassing, annulling, and extraking of the forsaid act apoune the said sowme of twa thousand aucht hundreht markis maid in the said buykis, and the samyn to haue na strenth, force, nor effect, and all that may follow thareupoune in all tyme cummyng; and als for ws, oure successouris, airis, executouris, and assignais renunciand, and be the tenour hereof renuncis and dischargis the exceptionns de non numerata pecunia et restitutionis in integrum, quhilk is preuilegiat to kirkmen in cais of circumuentioun, all fraud, gyle, exceptionns of the law, ciuill and canone, that may be proponit and allegit in the contrare alluterly to be secludit, remouit, and away put, and niver in jugement efterwartis to be proponit, hard, nor admitted in contrare ony poynnt or part of the premissis; and we ar content that this oure acquittance and forme thareof be redakit, registrat, and put in publict forme in oure officialis bukis of Murray, in perpetuale remembrance of this our discharge, and that the samyn be patent to the saidis James, Jhonne his sonne, Jhonne Graunt of Culcabok, and Robert Innes, and all vtheris haffand interess thareto: In witnessing of the quhilk thing, we haue subscrivit this oure acquittance witht oure subscriptioune manuale, togidder witht oure round seill appendit to the samyn,[1] at Spyne, the sevint day of Maij, the zere of God ane thousand five hundreth fourty foure zeris, before thir witnes, venerable men, Master Alexander Sutherland, Dene of Cathenes, officiale of Murray, Schir Thomas Wallace, parsoune of Wythank, Master Thomas Hay, vicare of Dundurchus, Patrik Kynnard, Master Jhonne Innes, George Kirk, Schir Jhonne Maitland, chaplane, Master William Wysman, Schir Jhonne Gibsoune, notar publict, witht vtheris diuers.

PATRIK, Bischope off Morraye, Commendatar of Scone.

243. NOTARIAL INSTRUMENT narrating that PATRICK BISHOP OF MORAY had stayed proceedings against JOHN GRANT of Ballindalloch, and PATRICK GRANT of Dalvey, his brother, and ratified their charters of lands in Strathspey. 20th May 1546.

IN Dei nomine Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum quod anno ab incarnacione Domini millesimo quingentesimo quadragesimo sexto

[1] The Bishop's Seal is still attached, in good preservation.

mensis vero Maii die vigesimo, indictione quarta, pontificatus sanctissimi in Christo patris et domini nostri domini Pauli diuina prouidentia pape tertii anno duodecimo: In nostrorum notariorum publicorum et testium subscriptorum presentiis, personaliter constitutus reuerendus in Christo pater et dominus, Patricius, miseracione diuina Morauiensis Episcopus, Monasteriique de Scona Commendatarius perpetuus, cum expressis consensu et assensu canonicorum Ecclesie Cathedralis Morauiensis ad hoc capitulariter congregatorum, capitulum eiusdem pro tempore representantium et constituentium, publice exposuit et dixit; Non obstante quod honorabiles viri Johannes Grant de Balnadallauch et Patricius Grant de Dalwey ipsius frater germanus, submiserunt et retulerunt ipsos et ipsorum quemlibet, voluntati et arbitrio dicti reuerendi patris in omnibus et singulis causis et actionibus debatabilibus inter ipsum reuerendum patrem et dictos Johannem et Patricium Grant motis et dependentibus: Et presertim circa reuocationem, retractationem, et cassationem cartarum et euidentiarum feudifirmarum dicto Johanni Grant et suis heredibus masculis super terris ecclesiasticis de Adwey, Tullichane, Calatar, Aduoky, et Rurorye, et prefato Patricio Grant et suis heredibus masculis super terris de Dalwey cum molendino et astrictis multuris eiusdem, per prescriptum reuerendum patrem et dictum suum capitulum confectarum, per metum et compulsionem quondam supremi domini nostri Regis, et quia dictus reuerendus pater nullum proficuum, vtilitatem, seu gratitudinem de predictis terris a prefatis Johanne et Patricio in feudifirma assedatis recepit, et propter assertam destructionem duorum molendinorum de Litill Innerlochtie eidem reuerendo patri spectantium, et diuersos alios punctos articulos et clausulas in citationibus et literis supreme domine nostre regine contentos et specificatos, predictus reuerendus pater etiam palam exposuit, et declarauit, ac manifestauit suam mentem et voluntatem, quod non vult prefatos Johannem et Patricium, nec ipsorum heredes, vitam, possessiones, terras, bona mobilia aut immobilia quecunque amittere seu perdere propter contenta et expressata in predictis citationibus et literis supreme domine nostre regine; ex eo quod prefati Johannes et Patricius, vt premissum est, retulerunt se arbitrio ac voluntati dicti reuerendi patris. Propterea dictus reuerendus pater, non compulsus nec coactus, sed ex sua mera et spontanea voluntate et proprio motu, ac pro certis gratitudinibus, auxiliis, et benemeritis per dictos Johannem et Patricium eidem reuerendo patri et dicto suo capitulo multipliciter prestitis et impensis, et propter augmentationem annuatim rentalis earundem terrarum, prout in cartis et euidentiis desuper confectis plenius continetur, pro se et successoribus suis Morauiensibus episcopis ratificauit et approbauit, prout per presentes ratificat et approbat infeodationem super terris ecclesiasticis de Adwey, Tullichane, Calatar, Aduoky, et Rurorye predicto Johanni Grant, et super terris ecclesiasticis de Dalwey, cum molendino et astrictis multuris, dicto Patricio Grant ipsius fratri germano, respectiue, per ipsum reuerendum patrem et dictum suum capitulum Morauiense, vt predicitur, prius confectam. Super quibus omnibus et singulis predicti Johannes Grant de Balnadallauch et Patricius Grant de Dalwey, eius frater germanus, a nobis connotariis publicis subscriptis sibi

vnum vel plura instrumentum seu instrumenta fieri [petiit], et in maiorem verificationem et securitatem premissorum predictus reuerendus pater et dictum suum capitulum presentes literas, seu hoc presens publicum instrumentum, manualibus suis subscriptionibus in signum eorum consensus et assensus corroborauerunt. Acta erant hec in loco capitulari dicte ecclesie Morauiensis hora vndecima ante meridiem, vel eocirca, sub anno, die, mense, indictione, et pontificatu quibus supra. Presentibus ibidem honorabilibus et discretis Hugone Rose de Kilrawok, Johanne Ogiluy capitaneo illustrissimi Francorum regis, Alexandro Rose de Holm, Alexandro Grant de Cardellis, Magistris Willelmo Grant et Dauide Douglas notariis, testibus ad premissa requisitis, etc.

Et ego Johannes Gibsone presbyter Morauiensis diocesis sacraque et apostolica auctoritate notarius publicus. Quia etc. (in forma communi).

Et ego Hugo Cragye clericus Sancti Andree diocesis et publicus sacra apostolica auctoritate notarius. Quia, etc. (in forma communi).

244. PROTEST by JOHN GRANT of Freuchie, in presence of the Sheriff-Depute of Inverness-shire, in reference to the Taxed Roll of the Shire. 22d March 1554.

Actum in curia vicecomitatus de Inuernes die xxiii mensis Marcii anno Domini millesimo quingentesimo quinquagesimo quarto, etc., in pretorio de Inuernes per honorabilem virum Dauidem Baillie de Dychtnayne, vicecomitem deputatum de Inuernes, etc.

THE quhilk day compeirit in jugement, Johane Grant of Freuquhie, as he that wes warnit be ane Sheref precept of the sherefdome of Inuernes, to compeir this day, viz., the xxiii day of Marche instant, to pass vpon ane inquest for makyng of the taxt roll of euerye pwnd land of ald extent, conforme the tennour of our souerane laideis lettreis; and because the said taxt roll is ellis maid and seilit befoire this day, quhilk wes prefixit to that effect, and he warnit tharto, as said is, the said Johane protestit that gyf the said taxt roll concernyng his landis be not conforme to his serwyng of ald extent, that the samyn taxt roll be not preiudiciall to him nor his heritage in onye sortt, because of his compeiryng at the day prefixit to him in the said Sheref precept to that effect, for the making of his part of the taxt roll, sa far as concernis his landis that he is seruit of wythtin the schyier of Inuernes, and siclik offerit him instantlie reddye to mak payment to the said Sheref-deput of his part of the taxatione, conforme to his ald extent eftyr the forme and tennour of our saidis souerane laideis lettreis, the said Sheref-deput gyfand him ane tikat, and makand knawin to him quhat his part extendis to of the saidis taxatione, conforme to the tennour of the saidis lettres, and protestit that he incure na skaytht nor daynger for non payment of his taxt at this tyme, because he

offerit him reddye to pay the samyn, bot culd not get ane tikat tharof quhat the samyn extendis to, and sicklik ay and quhill the said tikat be delyuerat to him, and thairvpon tuk act of curt and instrument. Extractum de libro actorum curie vicecomitatus de Inuernes per me Magistrum Martinum Logye, scribam eiusdem, teste manu propria, etc.

Ita est Martinus Logye, notarius ac scriba, qui supra manu sua scripsit.

245. Advice by William Lord Forbes and others on measures for securing a pacification between the Grants of Ballindalloch and the Grants of Carron. 14th March 1559.

Item, the xiiii day of Marche in lix zeris, the lard of Grant beand present, desyrane the counsall of my Lord Forbes and his frendis tuchin the slachter committit be Johne Roy Grant vpone Johne Grant off Ballonodallacht, hes awisit on the samyn, and thinkis expedient that thare be maid be Johne Roy Grant and his complices, committars of the said slachter, In the first, ane honorabill mendis, as wse is in sick behalwis, be the awyse of the lard of Grant and his weill aduysit frendis; Secundly, that thare be ane mendis maid be the said Johne Roy Grant in geir, gif it be the will of the partye aduersare, to be giffin be the aduyse of the lard of Grant and his frendis forsaid; Therdly, that thare be mariage or mariages deuisit and maid betuix other of the saidis parteis for the mair securite and kyndnes, and for eschewin of mair trublis in tyme cuming, and that be the aduyse and counsall of the lard of Grant and his frendis, as said is; Fourtly, that thare be securite mad for gud rewle and kyndnes in tymes cuming, and that be the sycht and counsall of men of lawe in the souerast maner; Fyiftly, gif thare be ony persones committars of the said slachter withtin the boundis and ground or balzery onder the lard of Grant, that thai be banist furtht of this samyn indurane the lard of Grantis will and plesour, witht the bretherene and bairnes of Johne Grant of Ballonodallacht; and forder, quhare the lard of Grant informis ws that Johne Grant frendis of Ballonodallacht desyris ane bludy mendis, that is the thing we will nocht, nor can nocht grant thareto, be resone it is noder godly, honest, nor frendly. At Kynbethocht day and zeir abowe writin.

William Lord Forbes.
Alex^r. Forbes of Petslego.
Jhon Forbes of Tolles.
Alex^r. Forbes of Bruchtis, at the pen laid be Maister James Forbes.
Patrik Forbess of Cors.
John Calder of Asloun.

246. Gift by George Earl of Huntly to John Grant of Freuchie of the Escheat of the Abbacy of Kinloss. 18th February 1568.

We, George Erle off Huntlie, Lord Gordoun and Badzenaucht, etc., and Lieutennent to our souerane Lady the Quenis Maiestie, within the bundis off the northt pairtis off Scotland, for certane resonable caussis wndir wreittin moving ws, be the tenour heiroff giffis, grantis, and disponis to ane rycht honorable man, Jhone Grant off Frewchquhye, all and haill the Abbaye and duelling place off Kinloss, houssis, biggynnis, zardis, insicht and outsicht plenissing off the samyne, withe all and sindrie rychteus pertinentis pertenyng thairto, movable, vsit, and wont, togiddir withe the haill escheitt guidis and geir, sowmis off moneye, fermis, maillis, teynd silwir, teynd schawis, salmond fischis, cobillis, nettis, salt, fische fattis and biggynnis pertenyng thairto, custumis, dewiteis, withe all vthir dew seruice, dettis, obligationis, resignationis, assedationis, actis, contractis, lettres off bailzearye, and all vthir guidis and geir quhatsumewir movable, within the boundis off the said Abbaye and barronye off Kinloss, sa far as pertenis to Waltir, Abbot of Kinloss, within the boundis of the sherefdome off Mwrraye, be reasone of escheitt for non finding off souertie to vnderlye the law in the Tolbuithe off Elgyne, vpoun the daye off , for the maistirfull and crewall slauchtir off Fraser, at the wattir syd off , within the dyocie of Mwrraye and sherefdome off Inuerness, committit and done be the said Waltir Abbot off Kinloss, himselff, his seruandis, complicis, and vthiris in his name, off his causing, command, assistance, and ratihabitioun, at the leist airte and pairte thairoff, in the monetht of Junii, in the zeir off God ane thowsand fyve hundretht saxtie and zeiris, beand lauchtfullie summond, oftymis callit and nocht compeirand, for the quhilk cause the said Waltir Abbot off Kinloss was putt to the horne and denuncit our souerane Ladeis rebell, withe powar to the said Johne Grant to mell and intromett withe the said Abbaye place off Kinloss, withe all and sindrie guidis, geir, insicht, and plenissing movable pertenyng thairto, and als to intromet, ouptak, ressaiff, and inbring to his vse the haill escheitt guidis, and geir movable, in the said barronye and vthiris placis quhatsumewir pertenyng to the said Walter Abbot of Kinloss, within the sherefdome of Mwrraye, vsit and wont, and to dispone thairvpoun to his awin vtilitie and profeitt, at his will and plesour, as he and his factouris thinkis expedient; the said Jhone Grant, his airis and assignais, payand to ws and our collectouris the sowme off twa hundretht pundis vsuall moneye off this realme for payment of the thirdis for the Mertimes terme, in the zeir of God, etc., saxtie aucht zeiris, and samekle termlie induring the tyme off our commissioun, for the quhilkis the saidis barronye off landis and fisching thairof ar assumit, and that for all vthir maner off dewiteis that may be socht, askit, or requerit be ws or our chalmerlanis fra the said Johne Grant for the samyn: In witnes off the quhilkis, to

this our lettres off gift, subscryuit withe our hand, we haiff affixit our propir seill to the samyn, at Abirdene, the xviii daye of Februar, the zeir off God ane thousand fyve hundretht saxtie and aucht zeris.

HWNTLYE, Lywetenent.

247. MEMORANDUM for the LAIRD OF GRANT by LACHLAN MACKINTOSH of Dunachton. 20th February 1568.

MEMORANDUM.—Ye sall schaw the Laird of Grant that it is my will and mynd, efter the sycht of my kyn and freyndis, to intertaine sic frendschip and familiaritie for my pairt as was betuix my forbearis and the Laird of Grantis forbearis, viz., quhen Gyllichallum M^cIntosche mareit his dochter on the Laird of Grant; and als to renew the said frendschip, Schir Duncan of Grant mareit his dochter on Lawchtlane M^cIntosche, my grandschir, for keiping of luf, amitie, and frendschip ather witht other, as vse of bluid and alya is.

Item, Ye sall schaw the Laird of Grant that the samen self mynd that our forbearis was of, quhilk was maist commodious for the commoun welth of baytht thair cuntreis, as tha be thair wisdome forsaw the samen from the begynning, that I, witht the adwyse of my kin and freyndis, yarnis maist ernestle to retene the auld and renew the new, haldin the samen ferme and stable, and to verifie the samen, quhairas my soster is mareit witht the young Laird of Grant, I am contentit (nochtwithstanding that my advyse was nocht thairto for other resonable caussis as is knawin) to tochir the said Laird off Grant witht my said soster as becumis M^cIntosche to do, and thairefter, for awoiding off all inconvenience and sklandorus specking that may cum of baytht our onfreyndis, to band witht the sayd Laird of Grant as brother and maist speciale nychtbour, to concur and assist him in all his just and leissum actionis, he doand the samen witht me, for the commoun welth of baytht our cuntreis, etc.

And for all thir caussis abone writtin, and perpetuitie of frendschip, allia, and bluid, the Laird of Grant, quhome I esteme my greitast freynd, to lat me haif my awin natywe cuntretht of Rothymurchus for sic sowmis of money as he gaif for the samen, or as he and I may guidle agre, and that becaus it is nocht onknawin to the Laird and his wyse consale that is, that it is my maist natywe cuntretht, as said is. Thir thingis being done betuix the Laird of Grant and me, I dout not bot it sall returne to our weillis, and that our ennemeis and onfreyndis, quhatsumeuer tha be, sall haif the les occasioun to invaid ws in onye maner of waye, our forces being vnite in ane, the weill of our cuntretht consistis thairin. This, witht the rest of your credeit, ye sall schaw the Laird of Grant, resawing agane his guidle ansuer gif it be his plesour, baytht in word and write, etc. xx° Februarii 1568.

LAUCHLANE MAKINTOSCHE of Dunathtin.

248. Exoneration by John Meldrum, portioner of the Ord, of John Grant of Freuchie, and Duncan, his eldest son, from the charge of participating in a raid upon Ardneidlie. 28th August 1579.

Be it kend to all men be thir presentis that forsamekle as be sinister report and informatioun maid to me, Johne Meldrum, portionair of the Ord, I wes informit that honorabill men, John Graunt of Frwquhe and Duncane Graunt, his sone and apperand air, wes participant of the spoilzeis of horse, nolt, and scheip furtht of the landis of Ardnely and Cowsaaltye about Mydsymmer and September respective, in the zeir of God, etc., sewintie aucht zeiris, pertening to me and my tenentis of the saidis landis, vpone the quhilk I raisit and causit be execute oure souerane lordis summondis of recent spoilzie of the saddis guiddis vpone the saddis John and Duncane, and because it is cleirlie knawin to me sensyne that thay ar innocent and na way was participant of the sadis spoilzies, I thairfoir, nocht willing to trowbill tham be the law for the samyn, be the tenour heirof renuncis all persute of the saddis John and Duncane his sone for the sad spoilzies in all tymes cuming, witht all that may follow thairon concerning tham, but preiudice of my actioun thairanent aganes all vtheris committaris and assistaris thairof to be persewit, as thir presentis hed nocht bene maid. In witnes of the quhilkis, I haif subscriuit thir presentis witht my hand at Banff, the xxviii day of August, the zeir of God 1579 zeris, befoir thir witnes, Patrik Grant of Balladalache, Thomas Cudberd, William Froster.

Johne Meldrum, Portioner of Ord, witht my hand.

249. Testament of John Grant, fourth of Freuchie. 24th November 1584. Confirmed 15th March 1586.

The testament testamentar and inventar of the gudis, geir, sowmes of money, and dettis pertening to vmquhile ane rycht honorabill man, Johne Grant of Fruquhy, within the parrochin of Cromdaill and schirrefdome of Inuernes, the tyme of his deceis, quha deceissit in the place of Ballachastell, vpoun the secund day of Junii, the yeir of God j^{m}v^{c}lxxxv zeiris, faythfullie maid and gevin vp be ane honorabill man, Patrik Grant of Rothymurchus, his lauchfull sone, quhome he nominat, maid, and constitut his onlie executour, testamentar, and intromettar with his haill guidis and geir, etc., in his latter will vnderwrittin, of the dat at Balchastell, the xxiiij day of November, the zeir of God j^{m}v^{c}lxxxiiij zeiris, as the samyn, subscryvit with his awin hand, at lenth proportis.

In the first, the said vmquhile Johne Grant of Fruquhy had the guidis, geir, sowmes of money and dettis of the awaill and prices efter following, pertening to him the tyme of his

deceis foirsaid, viz. :—Vpoun the ground and landis of the Manis of Ballachastell, xlviij ky, new calffit and forrow, price of the pece ourheid, vj lib.; summa, ij^{c}lxxxviij lib. Item, mair vpoun the saidis landis xxxij zoung stottis and quoyis of tua and thrie zeir auldis, price of the pece ourheid, iij lib.; summa, lxxxxvj lib. Item, mair vpoun the saidis landis, fyve scoir sevin auld scheip, price of the pece ourheid, xx s.; summa, j^{c}vij lib. Item, mair vpoun the saidis landis, xj lambes, price of the pece ourheid, x s.; summa, v lib. x s. Item, mair vpoun the ground and landis of Ballachastell foirsaid, xxvj drawin oxin by the airschip ox, price of the pece ourheid, vj ℔. xiij s. iiij d.; summa, j^{c}lxxiij lib. vj s. viij d. Item, mair vpoun the said ground and landis of the Manis of Ballachestell, ane wark hors and ane meir, by the airschip hors, price of the pece ourheid, x lib.; summa, xx lib. Item, sawin on the ground and landis of the said Manis of Ballachastell ellevin scoir sax bollis aittis, estimat to the thrid corne, extending to xxxiij scoir auchtene bollis aittis, price of the boll with the fodder, xxxiij s. iiij d.; summa, j^{m}j^{c}xxx lib. Item, mair sawin vpoun the said ground and landis of the Manis of Ballachastell, xxxiiij bollis beir, estimat to the fyft corne, extending to aucht scoir ten bollis beir, price of the boll with the fodder, iij ℔. vj s. viij d.; summa, v^{c}lxvj ℔. xiij s. iiij d. Item, restand in the barnes and barnezairdis of Ballachastell Manis foirsaid, aucht scoir bollis aittis, price of the boll with the fodder, xxvj s. viij d.; summa, ij^{c}xiij ℔. vj s. viij d. Item, mair in the saidis barne and barne zaird of Ballauchastell Manis, fyve scoir bollis beir, restand of the crope and zeir of God j^{m}v^{c}lxxxiiij zeiris, price of the boll with the fodder, xlvj s. viij d.; summa, ij^{c}xxxiij ℔. vj s. viij d. Item, vpoun the ground and landis of the Manis of Montlauchard, xvj ky, new calffit and forrow, price of the pece ourheid, vj ℔.; summa, lxxxxvj lib. Item, mair vpoun the saidis landis, xj zoung stottis and quoyis of tua and thrie zeir auldis, price of the pece ourheid, iij ℔. vj s. viij d.; summa, xxxvj lib. xiij s. iiij d. Item, vpoun the ground and landis of the said Manis of Motlauchard, auchtene drawin oxin, price of the pece ourheid, vj ℔. xiij s. iiij d.; summa, j^{c}xx lib. Item, mair vpoun the said ground and landis of the Manis of Montlauchard, xl auld scheip, price of the pece ourheid, xx s.; summa, fourtie pund. Item, mair vpoun the said manis, ten lambes, price of the pece ourheid, x s.; summa, v lib. Item, sawin on the ground and landis of the said Manis of Montlauchard, fourscoir bollis aittis, estimat and extending to threttene scoir fyve bollis aittis, price of the boll with the fodder, xxxiij s. iiij d.; summa vj^{c}xlj lib. xiij s. iiij d. Item, mair sawin vpoun the ground and landis of the said Manis of Montlauchard, xx bollis beir, estimat to the feird corne, extending to lxxx bollis beir, price of the boll with the fodder, iij ℔. vj s. viij d.; summa, ij^{c}lxvj lib. xiij s. iiij d. Item, restand in the barnes and barnezairdis of the sadis Mainis of Montlauchard of the crope and zeir of God j^{m}v^{c}lxxxiiij zeiris, restand xxx bollis beir, price of the boll ourheid with the fodder, xlvj s. viij d.; summa, lxx lib. Item, mair restand in the saidis barnes and barnezairdis of the Manis of Montlawchard, lx bollis aittis of the said crope and zeir of God, j^{m}v^{c}lxxxiiij zeiris, price of the boll with the fodder, xxvj s. viij d.;

summa, lxxx lib. Item, vpoun the ground and landis of the Manis of Dallavorar, aucht drawin oxin, price of the pece ourheid, vj lib. xiij s. iiij d. ; summa, liij lib. vj s. viij d. Item, mair vpoun the said ground and landis of the Manis of Dallavorar, xv ky, price of the pece ourheid, vj ℔. ; summa, lxxxx lib. Item, mair vpoun the saidis landis sevin zoung stottis and quoyis of tua and thrie zeir auldis, price of the pece ourheid, iij ℔. vj s. viij d. ; summa, xxiij lib. vj s. viij d. Item, mair vpoun the saidis landis and Manis of Dallavorar, fyve scoir auld scheip, price of the pece ourheid, xx s. ; summa j^{c} lib. Item, sawin on the grund and landis of the saidis Manis of Dallavorar tuentie bollis aittis, estimat to the thrid corne, extending to lx bollis aittis, price of the boll with the fodder, xxxiij s. iiij d. ; summa, j^{c} lib. Item, mair sawin on the said ground and landis of the Manis of Dallavorar, v bollis ane furlett beir, estimat to the ferd corne, extending to xxj bollis beir, price of the boll with the fodder, iij ℔. vj s. viij d. ; summa, lxx ℔. Item, restand in the said barne and barnezaird of the Manis of Dallovar, restand of the crope and zeir of God j^{m}v^{c}lxxxiiij zeiris, xl bollis aittis, price of the boll with the fodder, xxvj s. viij d. ; summa, liij lib. vj s. viij d. Item, mair in the said barne and barnezaird of Dallavorar, xx bollis beir restand of the crope and zeir of God j^{m}v^{c}lxxxiiij zeiris, price of the boll with the fodder, xlvj s. viij d. ; summa, xlvj lib. xiij s. iiij d. Item, of reddie siluer in pois the sowme of ten thousand merkis money. Item, of cunzeit gold in ane box the sowme of tuentie thousand merkis money. Item, in vtencilis and domicilis in Ballachastell, with siluer wark and abuilzementis of his bodie, togidder with his armour by the airschipe, estimat and extending be iust calculatioun to the sowme of vj^{c}lxvj lib. xiij s. iiij d.

Summa of the Inuentar, . . . xxv^{m}iij^{c}lxxxxij ℔. x s.

Followis the dettis awin to the deid.

Item, thair was awin to the said vmquhile Johne Grant of Fruquhy be Robert Leslie, younger of Douglie, the sowme of j^{m} lib. money. Item, awin be W^{m} Hay of Mayne the sowme of iij^{c}xxxiij lib. vj s. viij d. money. Item, awin be George Dumbar of Aues, conforme to his obligatioun, the sowme of j^{m}j^{c}l merkis money. Item, awin be Robert Quhyt, burges of Kirkcaldy, the sowme of iiij^{c} lib. money. Item, awin be Alexander Mathew of Kilburneis the sowme of iij^{c} lib. money. Item, awin be ane nobill and potent lord, Johne Erle of Athoill, Lord of Dalvaney [Balvaney], etc., for himself and as executour and intromettour with the guidis and geir of vmquhile Dame Margaret Flemyng, Countes of Athoill, his moder, the sowme of v^{m}iij^{c} merkis money. Item, awin be Johne Campbell of Calder the sowme of iij^{c}xxxiij lib. vj s. viij d. Item, awin be Colene M^{c}Kainzie of Kintaill the sowme of j^{m}iiij^{c} merkis money. Item, awin be Johne Kinloch and William Kinloch, merchandis, burgessis of Dundy, for salmond and vther merchandice coft and ressauit be thame, the sowme of j^{c}lx ℔. money. Item, awin be Robert Kinloch, burges of Dundie, the sowme of lx ℔. money. Item, awin be the tennentis and occupiaris of the landis of Vrquhart, for thair fermes and dewties of the crope and zeir of God j^{m}v^{c}lxxxiiij zeiris, the sowme of j^{m} lib. money. Item, awin be the tennentis and occu-

pyaris of the landis of Mylbane and baronie thairof, for thair fermes, maillis, and dewties of the crope and zeir of God j^{m}v^{c}lxxxiiij zeiris, the sowme [of] ij^{m} merkis money. Item, awin be the tennentis and occupyaris of the landis of the barroney of Knokendoch and Daltulish, for thair fermes, maillis, dewties, and fischingis of Knokendoch and Daltuleis, of the crope and zeir of God j^{m}v^{c}lxxxiiij zeiris, the sowme of j^{m}ij^{c} merkis money. Item, awin be the tennentis and occupiaris of the landis of the parochin of Cromdaill, Inuerallane, and Duthall, for thair maillis, multar, and vtheris dewties of the crope and zeir of God j^{m}v^{c}lxxxiiij zeiris, the sowme of j^{m} merkis money. Item, awin be the tennentis and occupyaris of the landis of Stradowen, for thair maillis, custome, and dewties of the crope and zeir of God j^{m}v^{c}lxxxiiij zeiris, the sowme of iij^{c} merkis money. Item, awin be Patrik Grant in Tulloch for the maillis, customes, and multar thairof in anno j^{m}v^{c}lxxxiiij zeiris, the sowme of xxvj lib. xiij s. iiij d. Item, awin be the tennentis and occupyaris of the aikeris and landis in Fyf of Balsusney, Rambrog, Smetoun, and Bennowy, for thair half fermes of the crope and zeir of God j^{m}v^{c}lxxxv zeiris, aucht scoir bollis victuall, meill, and beir, price of the boll, iiij lib.; summa, vj^{c}xl lib. Item, mair be thame for thair kane foulis of the crope and zeir of God j^{m}v^{c}lxxxv zeiris, sewin scoir kane capounes, price of the pece ourheid, vj s. viij d.; summa, xlvj lib. xiij s. iiij d. Item, awin be vmquhile Johne Leslie of Parkhill in Fyf, as principall, and Alexander Bruce of Erlishall, Dauid Monypenny of Pitmwlie, and Dauid Lessellis of Inuerdiffet, cautioneris and principall soureteis for the said Johne Leslie, coniunctlie and seuerallie, conforme to thair obligatioun registrat in the commissaris buikis of St. Androis, of the dait the xiij day of December the zeir of God j^{m}v^{c}lxxxiij zeiris, the guidis, geir, cornis, cattell, insycht and plenessing, etc., respectiue vnderwrittin, beand vpoun the ground and landis of Nauchtane in Fyf, to wit xxvij drawin oxin, price of the pece vj lib. vj s. viij d.; thrie hors and ane meir, price of the pece ourheid, xij merkis; xxij scoir scheip, zoung and auld thairof; tuelf scoir fyve zowis, price of the pece, xx s.; lxxij wedderis, price of the pece, xxx s.; and sax scoir sax hoggis, price of the pece, xvj s. viij d., and of cornes intromettit with be the said vmquhile Johne Leslie of Parkhill, beand in the barne and barnezaird of the Manis of Nauchtane, fiftie sax chalderis of aittis, price of the boll with the fodder, iij lib.; sax scoir bollis beir, price of the boll with the fodder, iiij lib.; fyve scoir bollis quheit, price of the boll with the fodder, v lib.; and lx bollis peis, price of the boll with the fodder, iiij lib.; and for insycht and plenessing guidis and geir, being within the place of Nauchtane and about the samyn, intromettit with be the said vmquhile Johne Leslie of Parkhill, extending to the sowme of viij^{c} lib. money; summa of the haill foirsaidis guidis, geir, cornes, insycht and plenessing awin be the said vmquhile Johne Leslie of Parkhill and his cautioneris foirsaidis, extendis to the sowme of v^{m}iij^{c}lxix lib. money. Item, mair awin be the said vmquhile Johne Leslie of Parkhill and his cautioneris foirsaidis, conforme to thair said obligatioun registrat in the commissaris buikis of St. Androis, for the maillis of Nauchtane, of the croppis and zeiris of j^{m}v^{c}lxxxiiij and lxxxv zeiris, extending zeirlie

to vj^{c} merkis; summa, viij^{c} lib. money. Item, awin be the said vmquhile Johne Leslie of Parkhill and his airis, successouris, executouris, and intromettouris with his guidis and geir, for fourtie four drawin oxin, intromettit with and ressauit be him, pertening to the defunct at Michaelmes in anno j^{m}v^{c}lxxxiiij zeiris, price of the pece, xiij lī. vj s. viij d.; summa, viij^{c}lxxx merkis money. Item, mair awin be the said vmquhile John Leslie of Parkhill and his foirsaidis for ane coffer in Nauchtane, intromettit with be him, and thairin certane plaidding, scheittis, courtingis, wardouris, and vther clais, estimat and extending to the sowme of lxvj lib. xiij s. iiij d. money. Item, mair awin be the said vmquhile Johne and his foirsaidis for ane siluer pece was in the said coffer intromettit with be him, contenand saxtene vnce of siluer, price of the vnce, xl s.; summa, xxxij lib. Item, awin be the said vmquhile Johne Leslie of Parkhill, as principall, and Alexander Bruce of Erlishall, and Dauid Arnot of that ilk, cautioneris and principall souerteis for the said vmquhile Johne Leslie, coniunctlie and seueralie, conforme to ane obligatioun registrat in the commissaris buikis of St. Androis, of the dait the ix day of Julii, the zeir of God j^{m}v^{c}lxxxiiij zeiris, the guidis, geir, cornes, cattell, insycht and plenessing, etc., respectiue vnderwrittin, beand vpoun the ground and landis of the Manys of Bogie in Fyf, to wit, nyntene drawin oxin, price of the pece ourheid, x lib.; tuelf ky, thairof sax with calfis at thair fut, and vther sax haifand sax stirkis at thair fut, price of ilk kow ourheid with hir followar, vij lib.; ane bull ox of tua zeir auld, price thairof l s.; tua zeild quoyokis, price of the pece, v lib.; vther aucht zoung beistis, stottis and quoyis, the ane half ane zeir auld and the vther half tua zeir auldis, price of the pece ourheid, l s.; fourtie zowis, price of the pece, xx s.; xxx lambes, price of the pece, xiij s. iiij d.; xlij wedderis, price of the pece, xxx s.; and of vther zeild scheip, l, price of the pece, xx s.; quhairwith the said vmquhile Johne Leslie of Parkhill intromettit, and for insycht and plenessing guidis and geir being within the place of Bogie and about the samyn, intromettit with be the said vmquhile Johne Leslie of Parkhill, extending to the sowme of iij^{c} lib. money; summa of the haill foirsaidis guidis, geir, insycht plenessing awin be the said vmquhile Johne Leslie of Parkhill and his cautioneris foirsaidis, extending to the sowme of vij^{c}xxxvj lib. Item, mair awin be the said vmquhile Johne Leslie of Parkhill, and his cautioneris foirsaidis, conforme to thair said obligacioun, the haill cornes sawin on the said Manis of Bogie, of the crope and zeir of God j^{m}v^{c}lxxxv zeiris, quhilk the said vmquhile Johne was obleist to leif sawin thairon, to wit, nyne chalderis aittis sawing, estimat to the thrid corne, extending to xxvij chalderis aittis, price of the boll with the fodder, iij lib.; four bollis peis sawing, estimat to the feird corne, extending to xvj bollis peis, price of the boll with the fodder, iiij lib.; and xxiiij bollis beir sawin, estimat to the feird corne, extending to lxxxxvj bollis beir, price of the boll with the fodder, iiij lib.; summa of the saidis aittis, peis, and beir extending to the sowme of j^{m}vij^{c}xliiij lib. money. Item, mair awin be the said vmquhile Johne Leslie of Parkhill, and his cautioneris foirsaidis, for the maillis of the landis of the Manis of Bogie, of the crope and zeir of God j^{m}v^{c}lxxxiiij zeiris, the sowme of iiij^{c}lxvj lib. xiij s. iiij d. Item, mair

awin for the fischeingis of Cathillis and Kilburnes of the crope and zeir of God j^{m}v^{c}lxxxiiij zeiris, the sowme of lx lib. money. Item, mair ane barrell of salmond, full reid and sueit, price thairof, xx lib. money.

Summa of the dettis awin to the deid, . .	xxij^{m}iij^{c}xiiij lib. vj s. viij d.
Summa of the inuentar with the dettis, . .	xlvij^{m}viij^{c}vj lib. xvj s. viij d.

Followis the dettis awin be the deid.

Item, thair was awin be the said vmquhile Johne Grant of Fruquhy, to his servandis for thair half zeiris feis and bountethis, the sowme of lix ℔. vj s. viij d. money, quhairof the particular followis; that is to say, to Johne Grant the sowme of x lib.; to M^{r} William M^{c}Gregour the sowme of vj lib. xiij s. iiij d.; to Dauid Clwnie the sowme of vj lib. xiij s. iiij d.; to Hary Gray the sowme of vj lib. xiij s. iiij d.; to Thomas Scotland the sowme of sax lib. xiij s. iiij d. Item, to Alexander Andersone the sowme of v lib. Item, to Dauid Palmer the sowme of v lib. Item, awin to William Bane the sowme of xxxiij s. iiij d. Item, to Dauid Gormak, portar, the sowme of xxxiij s. iiij d. Item, awin to Helene Aithbe the sowme of liij s. iiij d.; to Andro Robertsoune the sowme of iij lib. vi s. viij d.; and to Alexander Middiltoun for his half zeiris fie and bounteth the sowme of iij ℔. vj s. viij d. Item, awin to the Chancellar of Murray for the teindis of Knokendoch, Vrquhart, and Glenmoristoun, of the crope and zeir of God j^{m}v^{c}lxxxiiij zeiris, the sowme of lxvj lib. xiij s. iiij d. Item, awin to Mr. Alexander Ogilwie, persone of Douthall, for the teind siluer of the parrochine of Duthall of the crope and zeir of God j^{m}v^{c}lxxxiiij zeiris, the sowme of l lib. money. Item, awin to Mr. Thomas Oistiane, persone, Cromdaill and Adwey, for the teind siluer thairof, of the crope and zeir of God j^{m}v^{c}lxxxiiij zeiris, the sowme of xl lib. money. Item, awin to Mr. William Carnagy, for the vicarage teindis of Abirnathie, of the crope and zeir of God j^{m}v^{c}lxxxiiij zeiris, the sowme of xiij lib. vj s. viij d. Item, awin to the bischope of Murray for the few maillis of the landis haldin of him of the barroneyis of Straspay and Laggane, of the crope and zeir of God j^{m}v^{c}lxxxv zeiris, the sowme of ij^{c} lib. money. Item, awin to the Kingis his Maiestie, for the few maillis of the landis of Vrquhart and Glencairney, of the crope and zeir of God j^{m}v^{c}lxxxv zeiris, the sowme of j^{c}lxxij lib. money. Item, awin to S^{r} Alexander and S^{r} W^{m} Douglassis chaiplanes, for the few maillis of Knokendoch and Bordland, of the crope and zeir of God j^{m}v^{c}lxxxv zeiris, the sowme of xx ℔. money.

Summa of the dettis awin be the deid, . . .	vj^{c}xxj ℔. vj s. viij d.
Restis of frie geir the dettis deducit, . . .	xlvij^{m}j^{c}lxxxv ℔. x s.
To be deuidit in tua partis, the deidis pairt is, . .	xxiij^{m}v^{c}lxxxxij ℔. xv s.

Quhairof the quot is componit for v^{c} merkis money.

Followis the deidis legacie and latter will.

I, Johne Grant of Fruquhy, seik in body and haill in spreit, leuis my saull to God omnipotent, and my bodie to be bureit in the kirk of Dowthall, in Bogbegis Yll. Item, I leif to Johne Grant, my oy, the sowme of j^{m} lib. to support him. Item, I leif to ane pure man callit Nichole Cuming, the sowme of xl merkis money; and becaus I haif prouydit Patrick Grant, my sone, to the leving of Rathamurchus, in possessioun of the quhilk the said Patrick Grant is inquietit be diuers occasiounes, thairfoir I leif to the said Patrick Grant the haill gudis, geir, cornes, cattell, nolt, scheip, gold, siluer, cunzeit and vncunzeit, and all vtheris quhatsumewer guidis and geir quhilk may befall and pertene to me of the law, to support the said Patrick in his trubillis, and to help him to leif as ane honest man, except-and the particular legacie abone mentionat left to the persounes foirsaidis, quhilkis I will be payit thame. Item, I mak and constitut the said Patrick Grant, my sone, my onlie executour and intromettour with my haill guidis and geir, with power to him to dispone thairvpoun at his plesour, and be thir presentis reuokis, renuncis, and dischargis all and quhatsumeuer vtheris testamentis, legacies, and latterwillis maid or to be maid be me, and haldis thir presentis for my latterwill, but onie appellatioun or reclamatioun thairfra in the contrair. Item, I ordane my said executour to gif vp and mak iust and trew inventar of my guidis and geir, gold, siluer, and all vtheris, as he will ansuer to God in the day of iudgement. Item, I leif and ordanis the said Patrick Grant, my sone, to assist and be gude freind to Jane Leslie, my spous, at his vtter power. In witnes of the quhilk, I haif subscryuit this my legacie and latter will with my proper hand, and hes causit Duncan M^{c}Faill, reidar at Cromdaill, subscriue the samyn with his hand, for the mair verificatioun of the samyn, at Balchestell, the xxiiij day of November, the zeir of God j^{m}v^{c}lxxxiiij zeiris, befoir thir witnesses, James Grant in Auchcarnage and Duncane M^{c}Faill, reidar at Cromdaill, etc. Sic subscribitur, I, Johne Grant of Fruquhy, Duncane M^{c}Faill, reidar at Cromdaill, with my hand. We, M^{ris} Johne Preston, etc., be the tennour heirof ratifeis, appreuis, and confermis this present testament or inventar, in sa far as the samyn is deule and lauchfullie maid of the gudis and geir abone specifeit allanerlie, and geuis and committis the intromissioun with the samyn to the said Patrik Grant, onlie executour testamentar nominat be the said vmquhile Johne Grant of Fruquhy, his fader, reservand compt to be maid be him thairof as accordis of the law; and he being suorne, maid fayth treulie to exerce the said office, and hes fundin cautioun that the guidis and geir foirsaidis salbe furthcumand to all parteis haifand interes as law will, as ane act maid thairvpoun beiris.

250. Letters by King James the Sixth presenting Neil Grant to be parish minister of Advie and Cromdale. 6th July 1588.

James, be the grace of God, King of Scottis, to the commissioner over the kirkis within the boundis of the dyocie of Murray, greting. Wit ze ws, being informit of the qualificatioun, literature, and guid conversatioun of our louit Neill Grant, and of his ernest affectioun to travell in the office of ane minister within the kirk of God, thairfore to haue nominat and presentit, and be thir our lettres nominatis and presentis the said Neill to the personage and vicarage of Abdy and Crondaill, with the manse, gleib, and kirkland thairof lyand within the dyocie of Murray and our sherefdome of Inuernes, vaikand in our handis and at our gift and presentatioun be deceis of vmquhile Mr. Thomas Austeane, last persoun and vicare of the samin: Requiring heirfore zow that ze try and examinat the qualificatioun of the said Neill, and gif he be fund meit to vse and exerce the office of ane minister, that ze admit him thairto, ressaue the confessioun of his faith, his aith for acknawlegeing of ws, our auctoritie and lawis, and dew obedience to his ordinare, and in cais of his insufficiencie, that ze reporte the samin within the space of ane moneth, that ane vther mair qualifeit persoun may be of new nominat and presentit thairto; ordanyng the Lordis of our Counsall and Sessioun, at the sicht of thir our lettres, and of zour, the said commissioneris, testimoniall of admissioun, to grant and direct our vtheris lettres at the instance of the said Neill for causing of him be answerit and obeyit of the teindis, fructis, rentis, proffittis, and emolimentis of the saidis personage and vicarage, and to nane vtheris during his lyiftime. Gevin vnder our privie seill at Halieruidhous, the sext day of July, the zeir of God j^{m}v^{c} fourescoir aucht zeiris, and of our rignne the twentie ane zeir.

Per signaturam manibus S. D. N. Regis ac cancellarii subscriptam, etc.

251. Contract of Wadset between John Grant of Freuchie and Patrick Grant in Tulloch, over the lands of Wester Tulloch. 3d November 1593.

At Ballachastell, the third day of November, the zeire of God j^{m}v^{c} fourscoir therteine zeares, it is appoyntit, contractit, faithfullie bound, oblieged, and agreit betuix ane honnourabill man, John Grant of Freuchie, one the one pairt, and Patrick Grant in Tulloch, one the vther pairt, in maner, forme, and effect as efter followis; that is to say, the said John Grant off Freuchie grantis him to heave resaived fra the said Patrick Grant the soume of ane thousand pounds vswall Scotis mone, in numerat mone, off the quhilk he haldis him weill content, satisfied, and payit, and therfor exonneres, quytclames, and dischairges the said Patrick, his aires, executoures, and asignayes, and all vtheres quhom it affeeres, thairoff for now and ever: For the quhilk cause the said John Grant is bound and obliest, and be the tennour hearoff bindis and obliegis him, his aires, sucessoures, and asignayes, to infeft

hearetabllie be his plane chartare of alienatione, contaning precept of seassing titullo onneroso, made, seilled, and subscriuit in competent and dew forme, the said Patrick, his aires and asignayes, in all and heall the toune and landis off Waster Tulloch, with the milne, multoures, scheallingis, pendicles, and pertinent therof vsed and wount, presentlie occupyed be the said Patrick and his subtennentis, lyand within the lordship off Badzeanock, shereffdome of Inuernes; and for the securitie and warrandice of the same in caice it hapine the said Patrick, his aires or asignayes, to be molestit, inquyatit, or trublled in peicabll possessioune of the saidis landis off Wester Tulloch, with the milne, multores, sheillingis, and pertinentis, or that the same hapine to be evictit or obtayned fra him or his forsaids, in heall or in pairt, the said John Grant binds and obledges his aires, asignayes, and sucessores to infeft the said Patrick Grant, his aires and asignayes, hearetabllie in all and heall the toune and landis of the dauch of Tullochcrubine, with the pertinentis and pendicles therof, lyand within the lordship of Glencarneych and shereffdome off Ellgine and Forres, and that in speciall clause of warrandice of the said lands of Wester Tulloch, with the milne, multores, pendicles therof, in caice forsaid: Quhilk infeftmentis to be made of the saidis lands, milne, multores, sheillings, pendicles, and pertinentis therof respectiue abov writtin, shall beare the same to be haldine of the said John Grant, his aires, asignayes, and successores, hearetabll possessores of the saidis landis off Glancarneych blenche, for zearellie peyment of ane pennie for ather of the saids landis at the feist of Whitsonday, vpon the ground of the saids lands, gif it beis requesit allanerllie; and the said John Grant bindis and obliesse, in maner above writtin, to warrand, aquyt, to deffend and keepe the saidis tounes and lands of Wester Tulloch and Tullochrubine, with thair forsaids, to the said Patrick Grant and his forsaids, free and skeathles of all wards, releiffes, nonentress, conjunct fies, lyffrentis, ladies terces, former seassings, privat or publict, tackis, asseadationes for zeares to cume, recognitiones, declamatiounes, compryssingis, interdictiones, inhibitiounes, and all vther inconveniencis, damnages, and skaithes that may fall to the saids lands of Waster Tullo and Tullochrubin, with ther forsaids, throw aney occasione bygane or to cume, and of all costis and expenssis to be sustained or made be the said Patrick and his forsaidis in defence therof: Vpon the quhilkis lands of Waster Tulloch, with the milne, multores, sheallings, pendicles, and pertinentis, as principall, and lands of Tullochrubine, with the milne and multores of the samin, giffine in warrandice therof, annallzed to the said Patrick, as is beffor speciffied, the said Patrick binds and obliesse him and his forsaids, as oft as thay be requyred therto be the said John Grant and his forsaids, to mak, seil, and subscriue to the said John Grant and his forsaids ane sufficient reuersione for redemptione of the samen, bearand effectu that at quhat tyme it shall hapine the said John Grant, his aires, asignayes and successores, hieritabllie proprietarris of the saids lands of Glancarneych, to thankfullie content, pay, and delyver to the said Patrick, his aires and asignayes, the soume of ane thousand pounds money forsaid, heaving cours of payment for the tyme, altogither at one tyme, betuix the sonne ryssing and goeing to of the same vpon ane day,

within the parochel kirk of Ellgine, vpon the premonitione of fourtie dayes, to be made to the said Patrick, his aires and asignayes and sucessores, personallie aprehendit, or at ther duelling hous, in presence of ane notar and witnesses as affeeres, togither with ane sufficient asseadatione and lettre off tack of the saids lands of Waster Tulloch, with the milne, multores, sheillingis, pendicles, and pertinentis therof, and for warrandice of the same of all and heall the said toune and landis of the dawch of Tullochrubin, with the multores, pertinentis, and pendicles therof, for all the dayes, tearmes, and zeares of fyve zeares next imeadiatlie following the feist of Whitsonday, efter the redemptione theroff, for zearllie pay[ment] of the soume of aught merks mone forsaid of maill, four bolles of multor beare, and aughtene merkis mone for tuo martis, for the malles, customes, and multores of the ane zearllie at the tearmes of payment therof vsed and wount allanerlie, and for the saids lands of Tullucrubine, with the multores and pertinentis in caice forsaidis, to pay therfor maelles, multores, customes, and deuties therof vsed and vount zearllie during the said space of fyve zeares abov writtin: Provyding allwayes give it shall hapine the saids landis of Wester Tulloch to be redeamed and outquytit be the said John Grant during his awine lyfetyme, in that caice the said Patrick and his forsaidis to pay therfor zearllie, during the said space of fyve zeares, the multores, mailles, martis, and customes therof vsed and vount, as thei pay at the making hearof at the pryces therof abov writtin, in the said John Grantis optione, than the said Patrick and his forsaids renunce and overgiue and simpliciter dischairge the saidis landis respectiue, with milne, multore, shillingis, and pertinentis of the same, with all ther lettres, seassing, instrumentis, contractis, and wreatis quhatsomever made to them thervpon, and thei to be secludit therfra forever, and the said John Grant and his forsaids to heave als full regres, ingres, and acces agane in and to the saidis landis respectiue, and ther forsaidis als frelie in all respectis as they had at aney tyme beffor the said allienatione, and sic lyk as giff the same had never beine, reservand onlie to the said Patrick and his forsaidis the strenthe and effect of the said lettre of tack during the space of fyve zeares, to be mentioned therintill; and in caice of absence of the said Patrick and his forsaidis fra the recept of the said soume of ane thousand pounds mone, and lettre of tack abov specifeit being laufullie requyred thereto, as said is, it shalbe leisume to the said John Grant and his forsaidis to tell, number, and consinge the same in the handis of the provest or ane of the baillies of the said burghe of Elgine, to be keeped to the vtillitie and proffyt of the said Patrick and his forsaids, quhilk shalbe alse sufficient as gif the said Patrick or his forsaids had resaived the same themselffes, and gif this present contract be not sufficient to the said effect abov writtin, bayth the saids pairties binds and obliessis them and ther forsaidis, and promessis to mend, refforme, eick, and paire the same as oft as neid beis, ay and quhill it be found sufficient be the sycht of men of vnderstanding: To the quhilk all and sundrie the premisses, baith the saidis pairties bindis and obliessis them and ther forsaidis, and promeisses faithfullie to observe, keepe, and fullfill all and sundrie the poyntis, articles,

and clausses afor mentioned, hinc inde, ilk ane to vtheres, in sa fare as concernes ather of them, as oft as thei be requyred therto, but fraud or guyll, and for the mair securitie bayth the saidis pairties ar content, and consentis to the registratione, etc.

Sic subscribitur: Jo. Grant of Freuchie.

Patrick Grant in Tulloch, with my hand at the pene led be Mr William Greigour, notar publict, at my command because I cannot wreyt myselff.

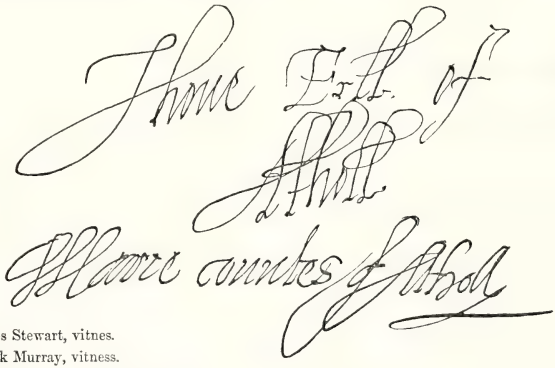
Ita est Magister Guilliellmus Gregour, notarius publicus et testis in premissis de mandato dicti Patrick Grant scribere nescientis rogatus et requisitus teste manu propria.

Sic subscribitur: Patrick Grant of Rothiemurchus, witnes.
Patrick Grant of Ballindalloch, witnes.
Duncane Grant, witnes.

252. Lease by Lady Mary Ruthven, Countess of Atholl, to John Grant of Freuchie, of the lands of Abernethy for five years. 3d September 1597.

Be it kend till all men be thir present letteris, ws, dame Marie Ruthuen, countes of Atholl, cessioner and assignay to the ward landis of the erledome of Murray, with expres consent and assent of ane nobill and potent lord, Johne Erle of Atholl, Lord Balveny and Inuermey, etc., now my spous, for his interes, to haue sett and in tak and assedatioune for the maill and dewtie wnderwrittin lattin, and be the tenour heirof settis, and in tak and assedatioune for the maill and dewtie wnderwrittin lattis, to our speciall guid freind, Johne Grant of Frewquhy, and his airis and subtenentis of na hier degre nor him self, all and haill the townis and landis of Abernethie, with woodis, fischeingis, schelingis, pairtis, pendiclis, and pertinentis thairof, togidder with the quarter of land callit Moirclune, with pairtis, pendiclis, and pertinentis thairof, all lyand within the scherifdome of Elgin and Forres, for all the space, zeiris, and termeis of fyve zeiris; the said Johnis entrie thairto to be and begin at the Feist of Witsonday nixtocum, in the zeir of God jmvc fourscoir auchteine zeiris, and to indure during the said space, but ony brak or intervall of termeis; payand thairfoir zeirlie, the said Johne Grant and his foirsaidis, to ws, our chalmerlaneis or factouris in our nameis, the soume of fourtie poundis money allennerlie, at the termeis wseit and wont: And we, the saidis dame Marie and my said spous, for his entres, obleissis ws, our airis, executoris, and assignayis quhatsumeuer, coniunctlie and seuerallie, to warrand, acquiet, and defend this present tak and assedatioune frome our awine deid allennerly, and that we haue done nor sall do nothing preiudiciall thairto, prouydding alwayis that the said Johne Grant observe, keip, and fulfill the heidis and pointis of the band of freindschip maid be the said Johne Grant to the said Johne Erle of Atholl, of the date of thir presentis, for him and his airis abone-writtin, and in cais he failzie and fulfill nocht the haill heidis and pointis of the said band

for his pairt thairof, in that cais this present tak to be of nayne of availl moir nor the samin haid neuer bene grantit: In witnes quhairof, we haue subscryveit thir presentis, wrettin be Walter Dog, notar, with our handis, at Dunkeld, the thrid day of September j^m^v^c fourscoir sevinteine zeiris, befoir thir witnessis, Dauid Hering, apperand of Lethintie, Sir James Stewart of Stux, knycht, Sir James Stewart of Achmadeis, knycht, Williame Stewart of Kynard, Mr. James Grant of Arnely, Neill Grant in Dalboyak, Patrik Murray, sone to the lard of Tullibardin, Walter Dog, wreter herof.



James Stewart, vitnes.
Patrik Murray, vitness.
Mr. James Grantt, witnes present.
Will. Grant, witnes.
Walter Dog, notar, witnes.

253. DISCHARGE by KENNETH MACKENZIE of Kintail to JOHN GRANT of Freuchie, for the charter and procuratory of resignation of the lands of Lochalsh, etc. 1st May 1606.

I, KENNETH MACKEINZIE of Kintaill, be the tenour heirof grant me to haif ressauit at the making heirof fra Johne Grant of Frewquhye, conform to ane contract maid and endit betuix ws of the date of thir presentis, concerning the disposition maid be him to me of the said Johneis landis in Kisryne Lochailche and Locharron, the charter of compryseing of the saidis landis maid be Marie Quene of Scotland, of worthie memorie, wpon the saidis landis to wmquhill James Grant of Frewquhye, grandschir to the said Johne, vnder the great seall, of the date at Edinburgh, the fourt day of May, the zere of God j^m^v^c fourtie aucht zereis, with

ane procuratorie of resignatioun of the saidis landis maid be the said Johne to me, conform to the said contract of the date of thir presentis, and therfoir dischargeis him, his airis, executouris, and assignayis, for me, my airis, executouris, assignayis, and all wtheris therof: In witnes therof, I haue subscriuit thir presentis, writtin be Johne Donaldsone, seruitour to the said Johne, with my hand, at Invernes, the first day of May, the zere of God j^{m} sex hundreth and sex zereis, befoir thir witnessis, Mr. James Grant of Edinvillie, Mr. Johne M^{c}Keinzie, parsone of Dinguell, Johne M^{c}Gillichoan, William Lauder, and the said Johne Donaldsone, notaris.

MACKENZE.
MR. JOHNE M^{c}KENZE, vicar.
JOHNE MAKGILLICHOAN, notar vitness present.

254. BOND OF RELIEF by ALLAN CAMERON of Lochiel to SIMON, LORD FRASER of Lovat. 8th September 1607.

BE it kend till all men be thir presentis, me, Allane Camerone of Lochzeild, to be bund and ob[l]isit, lyk as be the tenour heirof bindis and obleissis me, my airis and successouris, to exonour, relewe, and skaithles keip ane noble and potent lord, Symone Lord Fraser of Lovatt, shereff of Invernes, his deputtis and clerkis, att the handis of our soverane lordis of the chacker, of the soume of sewin hundreth and ten pundis mony vseuall of this realme callit Northbritane, conteinit in our soverane precept of Chanchellarie past wpone the landis of Knodeort, togidder with all dewteis perteining to the shereff fie and serwice of my saidis retourit landis, and sall warrand his lordship thairof and his foirsaidis, att all handis att all tymeis cumming, all costis and damnage thatt may fallow thair wpone be this my obligatioune, to be actit in the bevkis of counsell, or commissar his bewkis of Invernes, that executoriallis micht pass thairwpone in forme as effeirs, and to this effect constitutis my procuratouris till consent to the registration thairof, promitten. de rato, etc. In vitnesing quhairof, the sameing is subscribit with my hand at the Iyle of Lochzeild, the viii day of September as fallowis, the zeir of God j^{m}vi^{c} and sevin zeiris, befoir thir witness, Johne M^{c}Ane W^{c}Allester of Corvannan, Ewin Cameron, servitour to the said Allan and Allester Owre M^{c}Allester V^{c}Allan.

ALANE CAMRONE of Lochyell.

Evyne Camrone, vitnes.
Sorle Camerone, witnes.

255. LETTERS OF PUBLICATION of the burgh of Barony of Cromdale. 25th July 1609.

JAMES, be the grace of God, King of Great Britainne, France, and Ireland, Defendar of the Faith, to oure louittis messingeris, oure schireffis in that pairt, coniunctlie